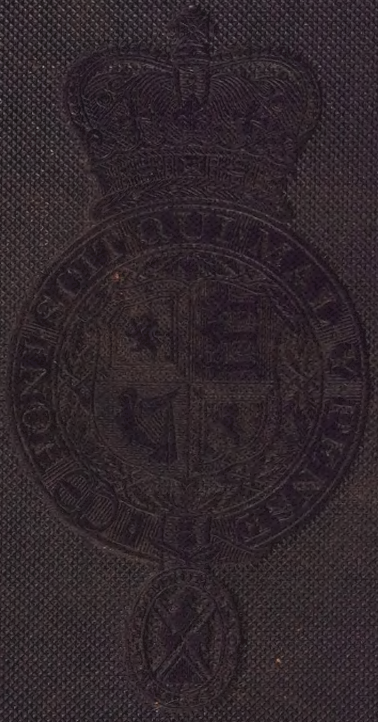

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PRIVY COUNCIL OF SCOTLAND.

THE REGISTER

OF THE

PRIVY COUNCIL OF SCOTLAND

EDITED AND ABRIDGED BY

JOHN HILL BURTON, LL.D.

HISTORIOGRAPHER ROYAL FOR SCOTLAND.

VOL. II.

A.D. 1569—1578.

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CENTRAL

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INTRODUCTION.

THE period covered by this Volume carries us to the end of the Regency. It thus sweeps over many signal events, and brings us through many critical and memorable national conditions. At the beginning we have the last of the savage invasions from England, conducted less in the chivalrous spirit of fighting out a question where each community meets an equal imperial state, than in the spirit of chastising a truculent and treacherous vassal. We are presently to see the "auld enemy" welcomed as a friend and protector,—the bonds arising out of common interests and dangers, strengthening under the influence of common origin and nearly identical political institutions. The perilous alliance with France—the ancient league—dies under the conditions that nourish the English alliance, and Scotland becomes too strong in its own prosperity, backed by this ally, to fear chastisement from the aggrandising and haughty power whose friendship has been discarded.

We pass through a critical civil war, with the bloody death of a second Regent, and the remarkable sieges of the fortresses of Edinburgh and Dumbarton. The Protestant religion is firmly established, the ambitious and dangerous house of Hamilton is paralysed, and its Achitophel the Archbishop is hanged. We have the crisis in the political atmosphere when the tidings of the Massacre of St. Bartholomew pass over the land. There is still the excitement of danger in one political element,—in the existence of Queen Mary, powerful in combination and intrigue, though kept a close prisoner, and affluent in devoted and formidable champions. In the end comes the fall of Morton and the acceptance of "the regiment" by the young King. The country was yet to be ruled by the most powerful among its great houses, but there was a

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difference in the method. It was no longer the rule of a substitute king, but of a prime minister, on whose authority that of the young King, attending the Parliament the Privy Council and the other ruling assemblages, would gradually encroach. The twelve years of his age brought the country near to the point when a direct heir being born to the Crown of England was to be considered among impossibilities, if indeed the political conditions of Europe had not settled that the marriage of Queen Elizabeth was an event close on impossibility. The natural force of progress was so powerful in the country that it was becoming rich in the short interval of peace, aided by the bright prospects in the future. To the men then living, plague, pestilence, and famine were still occasional visitors, and the days of battle and murder were not so far away in the past but they might return ;—anxieties, stimulated from such sources, might shade the future for those who were enjoying the unwonted comfort and prosperity of the present, but to us who have seen all that followed in the career of Scotland it is natural to go back to the schoolboy reminiscence of

> Per varios casus, per tot discrimina rerum,
> Tendimus in Latium.

Eventful as the period was, it is not in the nature of such a Register as that contained in the present volume, to recast the tenor of its chief events, or shift its great outlines and landmarks. These remain where historical students, supported by the acknowledgment of the educated among the community, have established them. Sudden revolutions in historical belief are not a phenomenon frequent in constitutional countries, where generation after generation is trained to believe in certain historical traditions, each generally contributing to leave them strengthened and enlarged. It is in despotic governments where one man, or a small group of men, can in secret accomplish a revolution, that startling revelations, upsetting received popular notions, reward the fortunate investigator. No doubt the great German historian, Ranke, considered that he had discovered, in a collection of English State Letters too little known in this country, evidence that Cardinal Wolsey, as a harmonious conjunction with his own promotion to the Popedom, had desired that his patron and friend Henry the Eighth

should be Emperor. It was a grand idea, the one to restore the old unity and supremacy of the spiritual world—the other to do the same in the political. But it was only interesting as a curious item of the thoughts occupying a remarkable man's mind. It was a brilliant fancy, of the kind of fancies that decorate the day-dreams of ambitious men, and it left no practical mark of influence on the times.

It is still, however, safe to say that the archæologist whose field of labour is in the records of a constitutional State has a grander mission than that of the revealer of the secrets hidden in the long-closed archives of unconstitutional despotisms. If in the hidden labyrinths of a secret administration we find unexpected and astounding events, inverting our ideas of the character of the actors in them, yet these events are long dead for any influence on the world, and are among the curiosities of history. The manner of the death of the wretched Don Carlos—the solving of the mystery of the Man in the Iron Mask—would afford no more clew to the impulses of European civilisation and political organisation than a few revelations concerning like mysteries in private families.

If we are not to be gratified by such revelations of unknown State events in our Register, it is full of other and more important testimony to the historical tenor of the period, in giving "virtue her own feature, scorn her own image, and the very age and body of the time his form and pressure." We make acquaintance with all the wickednesses of the country, all its weaknesses, and all its virtues and magnanimities. We become familiar with fierce and irradicable hatreds, as with deep enduring and indestructible attachments and loyalties. There might be a dreary uniformity in the continuous narrative of plunders, slaughters, captivities, and evil deeds of all kinds, committed under the influence of these passions, but the differences in race and political motives impart variety to the picture. We have the Highlanders of the North and West, utterly alien in race and habits from the Borderers of the South, yet each rivalling the other in the abundance of bloody tragedies it can produce. There is a standing feud throughout the land between the overweening aristocracy and the slowly progressive burgher and yeoman communities. There is the still partially

piratical population of the shores and islands of the far North. Religious divisions have their own element of bitterness. At first we have Protestant and Romanist, but then gradually comes in a new force, inspired by Huguenot France, and strengthened and supported from Puritanism in England. And yet while all these sources of distraction and discord are at work, there rules over all a proud jealousy of nationalism protecting the independence of the country from both the great powers seeking its adherence, and never more guardedly austere and cautious than when the right hand of friendship is frankly held out to the nation so absolutely the natural ally and prop of Scotland, that when the two came to peace and harmony they became one people.

The pacification of the Borders, and the annihilation of the old established practice of plundering, each country within the boundary of the other, fill a large space in this collection. Throughout the countless succession of proclamations, obligations to abandon the old reiving habits, and prosecutions for relapsing into them, there are, perhaps, no revelations of momentous events to change the face of history, but they will be found affluently to reward the careful student, by the full revelation they afford of the inner life of the Border world. In the two volumes of the Register now before him he will be able to trace the customs and conduct of the Borderers through a great critical revolution—that which drew the kingdom of Scotland away from the ancient league with France to be united to the destinies of England. The death of Queen Mary's mother, just at the point where the power to make her regency subservient to the interests of France, the death of Queen Mary's husband the King of France, and the siege of Leith, where English and Scots soldiers fought side by side, were the triple conjunction, carrying in their influences the revolution referred to, though the concluding results were still surrounded with so many dangers as to be far from the establishment of a settled future. The civil war following the flight of Queen Mary was the shape taken by the several elements of danger, but the prospects of a settled future gained new strength when the party of the infant King became victorious, and the triumph had been achieved with the aid of an English force.

The great revolution thus accomplished had its influence on the policy of Border rule, in changing it from an element in international diplomacy to an element in the internal administration and the peaceful government of Scotland. Before this, while there happened to be peace between England and Scotland, it was, of course, illegal for the Border reivers to make raids into England. At the same time, it was hardly politic entirely to crush the offensive capacities of the Scots Borderers, since to do so might be to destroy a powerful apparatus for molesting and injuring the enemy if wars were resumed with England. Heretofore the contest between the Government at Holyrood and the Scots Borderers was not a war of extermination. There were the men "who stole the beeves that made their broth from England and from Scotland both," and these, of course, were a common enemy to be suppressed. Then some of the Scots Border chiefs, as holding in their hands the issues of war or peace between the two countries, threatened to establish a separate rule and sovereignty, like the Margravates of Germany; and the renowned fate of the Armstrongs was an instance of strong steps for extinguishing a power that threatened rivalry with the Crown. But the contests and punishments hitherto left, and professed to leave, the Borderers on the Scots side as a force valuable for the protection of the country from the great national enemy.

The Executive of Scotland takes an entirely new tone when, on the 28th of October 1575, it declares that not only the subjects of the Crown of Scotland living near the Border "are heavily oppressed by the stouths, reifs, and other enormities of the broken men dwelling upon the said Borders, but also by their frequent ridings and incursions in England, without redress, the peace betwixt the two realms is endangered." It was impossible that the Border depredator could be suppressed, when he knew—and his friends in Scotland knew—that by driving a prey in England he was not only helping himself, but clearing off old scores of national vengeance. When England becomes effectually included in the repressive code of the Borders, it will not suffice to punish wrongdoers and retire as of old, but an established force must be stationed on the Border, at least for a time. It is immediately shown

that this is no empty threat, since there is not only the usual feudal muster, but a levy of four thousand pounds in money to meet the cost of a judicial war against the depredators. One-half of this money was levied on the "spiritual estate," ever at that time the most available to the revenue in difficulties.[1]

It fell to Murray to commence the war of extermination—of slaying and driving forth all who could not be subdued to honesty, both towards their Scots neighbours and their natural enemies of England. What was so begun was vigorously followed up by Morton. The ferocious history embodied in the Register of the Council, and its ever recommencing violence when it might have been inferred that the last embers of the fire had been stamped out, teach in an expressive manner how powerful and how tenacious of life the organisation on the Border for plunder and for warfare had been.

For extirpating the capacity of these Borderers for further mischief, without actually putting them to death, the conclusive tactic was extracting them from their "Swyres"—a descriptive topographic term of frequent use in the two volumes of the Register now published. Jamieson gives us "Sware, Swire, Swyre—the neck," and its derivative meaning, "a hollow or declination of a mountain or hill near the summit," and he cites Dunbar:—

> "The soft souch of the Swyre and the sound of the stremes,
> Micht comfort any creature of the kyn of Adam."

The Swyre, in fact, was that highest part of the valley between two hills or ranges of hills, whence the waters descended on opposite sides, otherwise termed the "water-shed" or "water-sheer." It was generally covered with deep bog or marsh, and very defensible to those in possession of it. If the Swyre commanded the waters descending to England on the one hand, and to Scotland on the other, it was a very important post. In such a spot there was a critical affair endangering the newly-settled peace between the two countries. It was called the "Raid of the Rede-Swire," being the upland valley whence the waters descended through Redesdale in Northumberland on the one side, and on the other passed into

[1] Pages 167-8.

Scotland. Here was held "a day of trew," or an assemblage headed by the Wardens on both sides, where the critical business of adjusting counter claims, arising out of slaughters and spoliations, was transacted. It was said on the part of Scotland, that the English Warden attempted to break up the assemblage before certain Scotsmen's claims were adjusted, and were the first to use violence towards those they were holding in dispute. The Scots had to fall back, but they were nearer home than the English, and getting considerable succours, beat their opponents off the field. An Englishman of high rank, Sir George Heron, was killed. The Scots considered this a misfortune, but they looked otherwise on the casualty to their enemies that put into their hands some distinguished prisoners, including the Earl of Bedford and the English Warden.

This last was an acquisition suited for the bold policy of Morton, and he played with it a very dangerous game against Queen Elizabeth's ambassador; but it was a successful game so far as concerned the great issue—the saving of the peace without humiliating Scotland.

The coming over, or crossing, the Swyres is sometimes treated as an act of war—an overt act, indicating an intention to attack. In this shape it is occasionally pleaded before the Council. By certain decrees in the present volume the marauders are ordered to come forth from their fastnesses behind the Swyres. The policy of such injunctions was that of the victor who requires his subdued enemy to abandon or destroy his fortresses. Without the retreat behind the Swyre the Border robber was helpless. In the regency of Morton, on the 14th of June 1574, three of the potentates of the Scots Border—Douglas of Cavers the Sheriff of Roxburgh, Gladstone of Cocklaw, and Elliot of Redheugh—are brought to task for failing to keep order in the district to the full effect of the obligations they had undertaken under the Regent Murray. The offenders must now be brought forth from behind the Swyres, and "true men" must be planted in their holdings unless they can find effective security for their conduct; and if there is difficulty in the clearing, they are to be "burnt" out, and if the "true"

men to succeed them cannot be found, their lands are to become waste.[1]

An expression applicable to the peculiar practices of the Borderers—as such it is of frequent occurrence in the two volumes of the Register—is the "fyling of bills." The term "fyle" is from the same origin as as the English "defile," meaning to pollute or render foul. The Scots law, like its parent the Roman law, did not of old draw an absolute line between the person who was guilty of a crime and the person who was defending himself in a civil litigation. The Latin *reus* referred to either, and in Scotland there were persons "fyled of slaughter," or of a mere pecuniary claim. The bill was a written obligation to give redress for a Border injury, if the injury were clearly established under Border law, and hence the great bulk of the "bills" were current between Englishmen and Scotsmen. When an act of violence or depredation was brought home to the actual perpetrator of it, he of course was primarily liable for the corresponding penalty. No "bill" was necessary as a warrant for this obligation, but if the perpetrator were caught and released, it would be on the security of a bill granted by himself, and probably by others acting as sureties for him. The term came to be used when a liability was incurred, although no document had been signed by the party liable. Hence to "bill" a Borderer for an offence was a method of stating that he was charged with it. Of how far the range of the term went beyond either personal violence or the robbery of property, is exemplified in an Act a few years later than the period we have reached. By an Act of 1587 it is "statute and ordained that the Wardens of the Marches fornent England take diligent inquisition what Englishmen occupies any Scots ground in pasturage or tillage, and they bill the persons offenders in that behalf against the treaties, and seek redress according thereto, as they will answer upon their allegiance."[2] The person "billed" could defend himself in a "back bill," and thus something after the shape of a litigation before a court of law might arise.

When claims had come into shape as actual written bills, there

[1] Page 371.

[1] Act. Parl. Scot., vol. iii. p. 465.

seems to have been trafficking and something like gambling with them. Thus the chief of the Johnstones—Johnstone of that Ilk—represents to the Council touching the "wrangous" fyling of his retainer Jock Irving of the Steilhill, in an "English bill" for £17 sterling, the holder of which, Glasteris, an Englishman, is "suiting" or pressing for payment. The Warden of the Western Marches assures the Council that it arose out of a genuine transaction; that Jock was legally and justly "fylet," and that there are six witnesses to the facts.[1] The Wardens were responsible for producing the men themselves if their bills were dishonoured, and on another occasion we find the Laird of Johnstone charged with default to present certain retainers on a day of Trew "for relief of our Sovereign Lord and his Wardens;" and it is decreed that "he should and ought to enter the saids persons at the next day of Trew for the relief of the King, according to justice and the laws of the Marches."[2]

In 1573, we find Sir Walter Scott of Branxholm seriously committed to an English bill, "the bill of Newton," "extending to auchteen score pounds sterling or thereby,"—three thousand six hundred pounds Scots. He had become bound to the English Warden for Ralph Ker, who was imprisoned in "Hadokshole," within the town of Berwick, the nature of the surety being that Ralph, being released from this danger, should yet remain "in ward" in the town of Berwick. It was ascertained, however, that he had "unthankfully" broken his ward, and so Scott became liable for payment of the bill, "to his great hurt and skaith," if he would avoid "reproach and dishonour to his name." There was a suspicion that Ker, in escaping, put himself in the hands of Lord Hay of Yester, and hence the appeal to the Council; but Lord Hay denied responsibility, and the Council could only charge him to rectify the affair if he had power to do so.[3]

Bills, when formally completed, being documents carrying heavy responsibilities, were intrenched in precautions for their genuineness. The Wardens were to "speir" or satisfy themselves by full inquiry before they fyled, and there were precautions against fraudulent alterations.

[1] Page 393. [2] Page 421. [3] Pages 307-8.

On the 6th of August 1577, James Turnet of Ednam tells a story, showing how complex the transactions in which a "fyling" may have to be traced. He finds himself liable in the penal valuation—double and costs—for a stolen mare, and he pleads how "the said meir was sauld sindry times to four or five sindry hands, and the most that was gotten for her at any time was within six merks Scots, and the said meir with her double will extend to three score pounds Scots."[1]

On the same day certain Davidsons plead that Ker of Cesfurd, Warden of the Middle Marches, holds them "fylet in ane bill of Sir Thomas Gray of Chillinghame, Englishman, of four oxen and ane naig," and of this "fyling" they maintain they are altogether "saikless" or innocent. They were, notwithstanding, "fylet," and had to pay the penalty. In this instance, however, the question of the justness of the "fyling" was carried to the Privy Council, on the complaint that the Davidsons had, through the unjust "fyling," been compelled to pay the sum of eleven score pounds as the single avail and double of the bill. The question came up at Holyrood on the 30th of September 1577, when they state that they have made payment to Sir Thomas, "howbeit in verity they are altogether saikless of all stealing, having, or resetting of the said goods, and are content to abide tryal thereanent according to the law of Marches, upon the pain and danger of their lives, if upon sufficient and lawful trial before my Lord Regent's Grace and Privy Council they shall be found worthily fylet." Ker of Cesfurd, the Warden, was required to appear and defend himself, when the representative of the Davidsons "produced and declared the names of thirteen persons as ane acquittance for trial of the said complainers, according to the order observed in such causes, whilks persons being admitted, sworn, and examined" by the Council, "has by this declaration all in one voice clensed and acquit the said complainers," and this sufficed to the Council to grant full acquittance.[2]

On the 23d of April 1578, there is a minute dealing with the fylings of bills that reminds one of a report in bankruptcy of the clearing off of cross acceptances by the equational formula of

[1] Page 623. [2] Page 639.

set-off, as it is called in England, and compensation in Scotland. By Ker of Cesfurde, in the old days before his troubles and discredit, when he was yet a Warden of the Marches, James Davidson in Birnyrig, and Lancy Anesly in Oxnem, had been fyled in a bill to Thomas Forster in Ednam, Englishman—that is to say, the Englishman had satisfactorily proved to the Warden on the Scotch side that he, the Englishman, Thomas Forster, had suffered damage from the Scotsmen, which they must engage to compensate by a bill, to be followed either by the actual payment, or by compensation, with some bill in which Englishman is "fyled" to Scot. The two Scots should have satisfied the English Warden about this bill "to enter to the opposite Warden in the said bill," and this put the Scots Warden in an unpleasant position as to other bills. The minute relates the obligation of a group of Kers, along with Edmonston of that Ilk, "for the sake of peace and amity between the realms," to give a special bond that this particular bill shall be duly retired out of their own personal effects, if they failed to "enter" one or other of the parties liable—that is, to send him over to the English Warden as a captive. They had ultimately to settle the affair by payment, and "as reasons would" that they "had their relief of the persons fylet," Davidson and Anesly are cited to appear before the Council. On the day of meeting the Kers make their appearance, but not the men fylet in the bill, and in their absence "the Lords of Secret Council decern the said James Davidson and Lancy Anesly to warrant, relieve, and keep the said complainers skaithless of the said bill at the hands of the said Thomas Forester and all others whom it effeirs, conform to the laws and practice of the Border observed in such cases."[1]

The curious expressing of fyling in a bill gradually creeps upwards in the Register, from the person who is originally guilty of the offence by an inhabitant of the Scots side of the Border against an Englishman. His surety comes in, and next the Warden. Then by something akin to the principle that puts all diplomacy between nation and nation in the name of the Sovereign, the King himself comes to be "fylet," as in the 27th of November 1574, where "anent the complaint made by John Lord Maxwell,

[1] Pages 686-7.

Warden of the West March of this realme foranent England, upon John Johnston of that Ilk, for non-entry of William Johnston of Redhall, John Johnston of Graitney, and his men on the day of Trew, for relief of our Sovereign Lord and his Warden of certain bills wherein they are fylet."[1]

The practice of "billing," as it is sometimes called, brought heavy responsibilities on the Wardens of the Marches, in fighting the battles of their countrymen; and we sometimes find a Warden on the Scots side cited before the Council to answer to complaints for not having shown sufficient zeal and spirit in asserting the claims of his countrymen. Thus John Graham in Canoby, on the Scots side, having charged Dick Graham, the son of Graham of Netherby, in England, with reft of goods from Canoby, "billit for restitution," with double and costs before the Warden of England, by whom Dick was "fylet" in the said bill, and delivered to the Lord Maxwell, Warden of the West Marches. Shortly afterwards Dick was "borrowed hame again upon caution by Geordie Graham of Ranpatrick." The Scots Graham having lost the direct hold, appeals to Maxwell the Warden, but finds no proper redress unless the Council interpose, and they do so, by requiring the Warden "to cause the said bill be sworn, and redress and payment to be made of the same, conform to the law and practice of the Border."[2]

It is not unnatural to suppose that there is some analogy between the being "fyled in a bill," according to Border practice, and the filing of a bill according to the practice of the Supreme Courts in England. They have nothing, however, in common, but that both of them, like any other document, may be matter of litigation,—the bill, from the French *billet*, being in English practice a writ actually arising within a Court of Justice, as a bill in equity, a bill of exceptions, or a true bill found by a Grand Jury. But that the "filing" and the "fyling" are far apart in meaning, will at once be obvious wherever the English term appears in law literature, as "*File, filacium*, a thread, string, or wire upon which writs and other exhibits in Courts and offices are fastened or filed, for the more safe keeping and ready turning to the same. A file is a

[1] Page 421. [2] Pages 539-40.

record of the Court, and the filing of process of a Court makes it a record of it."[1] And this, fundamentally a mechanical expedient of the most trifling nature, had its influence on the British Constitution in the appointment of a group of important officers. "Filacer, Filazer, or Filizer, an officer of the Court of Common Pleas, so called, as he files those writs wherein he makes out process. There are fourteen of these Filacers in their several divisions and counties, and they make out all writs and processes upon original writs, issuing out of Chancery."[2]

At assemblages in the Debateable Land of representative men from both sides, called "days of Trew," or "March days," there was a clearance of the obligations in the several current bills. The March days seem to have been held for the sole purpose of adjusting such local and personal questions. It made the affray at the Rede Swyre the more serious, that it was on an occasion when the two sovereignties were represented—a "day of trew" or truce. This term had a broader meaning than it holds in modern warfare, as a temporary restraint from action between two armies in the field. What is now termed a truce was then called an "abstinence." A day of trew or truce was one where the inhabitants of the two countries could mix together as persons whose Governments were in settled peace with each other. This was the old French signification of the "treve" as distinguished from a permanent settled peace.[3] The states included in it were at absolute peace, but there might be vital questions between them, pregnant with future contest. Between England and Scotland there was the exasperating question of the feudal supremacy claimed by the greater over the smaller country.

The proclamation of a muster for completing the pacification of the Borders, passed by the Council at a meeting on the 22d of July 1577, is the latest emphatic State paper on the Border policy of the Regency. It refers to those who had been removed to the "In-country" as pledges for the good conduct of the

[1] Tomlin's Law Dictionary, *voce* File.

[2] *Ibid.*

[3] "Tréve.—Suspension d'armes—cessation d'hostilitez entre deux partis ennemis. On fait souvent des tréves pour parvenir, à la paix. Les Tréves de longues années tiennent lieu de Paix entre des Princes dont on ne peut terminer les différends."—Dict. de Trevoux. Though the "day of trew" is generally an affair of wider diplomacy than a mere "March day," it must be admitted that occasionally the terms are used in a casual way, as if there were little difference between the things signified by them.

remainder. Yet the work is not complete, for a remnant have gathered on the Harelaw Moor. The spot selected afforded abundant defence in rock, bog, and water-courses, and yet was within twenty miles of the English border, and here they "ceased not to make daily stouths, reifs, taking of prisoners, and doing of such other attemptattis and injuries as shortly are likely to draw to great inconvenients."[1] A general muster is ordered of the fencible men from the Border as far northward as Perthshire, and provision is to be made for keeping the field for the unusually long period of forty days.

The reliance of the Government on the poindable inland men was a hint to the Border reivers to seek their countenance and corporation in times of heavy emergency, and especially on those occasions where a muster of the fencible men of the northern counties was proclaimed for an expedition, or "raid" as it was technically called, on the Borders. So we find that when the time for such an expedition approaches, a special proclamation is issued for dealing with the difficulty of the removal of the stolen property to parts of the country not liable like the Highlands or the Borders to hostile invasions. Hence in a proclamation supplementary to that for the gathering of the host, we find "it is understood that in times of like pursuit made heretofore against the thieves, their cattle and goods were resett and tane in keeping amang certain thir privy friends and favourers in the inner parts of the realm," so it is enjoined "that none take in hand to resett, supply, or intercomune with ony of the said thieves, or give them meat, drink, house, or harbouring; nor yet receive any of their goods or cattle in keeping, or under colour of buying or other colour whatsoever, in defraud of the pursuit and punishment intended against them, under the pain of death and confiscation of all their goods moveable, and to be reputed and holden participant with the said thieves and broken men in all their theftuous and evil deeds."[1]

The device of the Borderers, in removing their spoil to the inland districts where it would not be naturally sought, was turned upon them by a curious policy for removing the most valuable persons among themselves into secure places inland. The ar-

[1] Page 619. [2] Pages 259-60.

rangement, if curious as a device of the Government, is also interesting as exemplifying the practice of suretyships as a testimony to the reliance by kinsfolk and neighbours on each other. The Government took possession of certain leaders as "Pledges." There was something, perhaps, in the consideration that without the leaders the followers would be disorganised for action, but there was more in the trust that the followers would be restrained if their marauding were visited on their patriarchal chiefs. These Pledges were conveyed into distant parts of the Lowlands wherever there was a strong fortalice, as, for instance, to the strong square tower of Drum in Aberdeenshire. They were to be "placed in the Incountry with the noblemen, barons, and others having good houses, seeing the King's Majesty's own houses are not well able to detain sic a multitude as necessarily for his good occasion mon be kept." [1]

There seems to have been at first more of the spirit of hospitality than of jailership in the custodiers, and from one step of relaxation to another, the pledged chiefs were found in their old place and at their old work. A stricter rule was then taken, as to which the critical state of the times can alone account for the proud gentry who acted the part of jailers submitting on the order of the executive. They, receivers of the pledges, are "to surely keep them in firmance, in na ways letting them escape or eschew on band or otherwise, quhil they be freed and relieved" by the Regent in the Sovereign's name.[2] And that this was no idle threat is shown in the amerciament of Stirling of Keir in two thousand pounds for letting John Little of Kessock escape out of his custody.[3]

Students of the law of Scotland, especially of the constitutional part of it, will find much in this second volume to settle and explain what is taught in the first. The teaching, however, will not be of a distinct and conclusive kind, until the time when the Record can be read down to the extinction of the Scottish Privy Council, immediately after the Union of 1707. The light furnished by the earlier Records will then be interpreted by the teaching of two great constitutional struggles, the one in the

[1] Page 477. [2] Page 477. [3] Page 626. Further, p. 632.

reign of Charles II. for an appeal from the Court of Session to the Estates of Parliament—a contest which came to no more practical conclusion than the accumulation of much curious historical and constitutional knowledge—the other, a less conspicuous contest soon after the Union, which had a vast influence on the fate of Scotland by creating the appellate jurisdiction of the House of Lords.

The old practice of the law of England is full of actual Appeals, though the word itself is not of frequent use. France, holding a still greater social and constitutional influence over Scotland—the State that handed over to us the model of the Court of Session—swarmed with appellate jurisdictions of various forms and dimensions. In Scotland, Appeal in its strict technical form of carrying a process out of one Court into another was little known. The country seems not to have naturally affiliated to the technical character of either of its great neighbours. In England the references from Court to Court, the "bandying of jurisdiction," as it has sometimes been called, was part of the great struggle for personal freedom, arising out of an antagonism scarcely known in Scotland—the ascendency of the Norman, and the ceaseless labours of the Saxon to abolish this preponderance or lighten its pressure. In France, on the other hand, the complex appellate system chiefly arose from seignorial influences,—one potentate or potential community struggling for predominance over another, by reviewing its judicial or executive actions.

The preponderance over the Court of Session by the Secret Council, noticeable in the first volume, becomes still more distinct and decided as we advance. Frequently what the Court of Session could not do is done by the Council, and what has been done in the Court of Session is undone. But that the Session has taken order with the question comes out merely in incidental detail. The Privy Council exercises its own direct power in its own way. No process, for instance, passes from the records of the one Court into those of the other, a step in procedure without which we cannot realise the fact of an Appeal in the technical sense of the term. But, in fact, all the proceedings before the Council are bare of the incumbrance of techni-

calities. Technicalities come afterwards, when the power of the Council is wielded by the inferior ministers of justice—when its decrees fall to be implemented by the "officers of the King, Sheriffs in that part," in denunciation of rebels at the horn, or in poinding and distraint. But the Court itself acts with a haughty supremacy, disdainful of technicalities. The spirit of the interposition generally is: a wrong has been done; we are all-powerful, and we shall put it right; the oppressor shall be punished and the sufferer relieved; the *parcere subjectis et debellare superbos* of imperial Rome.

Hence no fictions of law creep into the proceedings of the Council, until perhaps a curious form of judgment to be afterwards noted—a judgment enjoining that the course forced upon the litigant is to be done by his own free will—may be counted a fiction. The "fictions" are perhaps the most curious, and, in a constitutional sense, the most interesting of all the peculiarities in the progress of the judicial system in England. The fictions are deliberate falsehoods, told for the purpose of accomplishing something not to be accomplished through the truth. In this sense they are an outrage of one of the first principles of morality inculcated in the nursery, and carried by the honest man to his grave. What secured the system from abuse, was that if the falsehood bore a certain established type, it could not be lawfully contradicted. There was thus none of the lax morality that must come out of assertion and contradiction. The reformers of the law have sometimes said that the object of suppressing contradiction was but an aggravation of the falsehood. The whole object of the established fiction was to enable one Court to "steal" jurisdiction from another; or, as it was otherwise put, the fiction was a device to enable the keepers of one shop for the sale of justice to undersell another. There is nothing in the Register of the Council like the statement by A. that he is a debtor to the Crown, and cannot pay that debt unless B., who owes him money, can be compelled to pay it, so that the Court of Exchequer, being established for the collection of the revenue, has both an interest and a duty to compel B. to pay what he owes. There is nothing like the ingenious mechanism for bringing cases into the King's

Bench, eulogised by Blackstone: "It being surmised that the defendant is arrested for a supposed trespass, which he never has in reality committed; and being thus in the custody of the marshal of the Court, the plaintiff is at liberty to proceed against him for any other personal injury; which surmise of being in the marshal's custody, the defendant is not at liberty to dispute."

Jurisdiction in maritime questions was freely exercised by the Council. It was a period when wealth and commerce were rapidly increasing, and as it was difficult to administer justice on the sea, piracy was increasing also. In questions where Scotsmen are concerned, either on sea or shore, the Council will not hesitate in giving redress if there is any property it can lay hold on, or any person who, through punishment or threat, having the means of remedy, can be induced to use them. Foreigners also often seek and obtain redress. A vessel belonging to some citizens of the Netherlands had been seized by Englishmen and brought into Montrose, and, at the risk of giving offence in England, the Council took possession of the vessel and cargo in the interest of the proper owners. In extending their remedies wherever they had power to make good their decrees, they took no such scrupulous precautions as Blackstone briefly explains with his usual felicity: "As the Courts of Common Law have obtained a concurrent jurisdiction with the Court of Chivalry with regard to foreign contracts, by supposing them made in England, so it is no uncommon thing for a plaintiff to feign that a contract really made at sea was made at the Royal Exchange, or other inland place, in order to draw the cognisance of the suit from the Courts of Admiralty to those of Westminster Hall."[1]

There is no occasion for disputing the eulogies of Blackstone and others on the beneficent influence of these fictions, and the assurance that the English Courts never permitted them to have any influence save in the cause of righteousness and justice. Perhaps it would not be easy to contradict an assertion, that the Scots Privy Council, in their rapid and masterful administration of justice, did things less easily vindicated for their justice or their mercy than the grave administrators of the common law did with

[1] Commentaries, vol. iii. p. 107.

their subtle fictions. The difference between the method of administering justice in the two kingdoms is not for simple comparison as better or worse. What it is important to learn is that the English peculiarities arose out of political and historical conditions of internal conflict not extending to Scotland. In the Legislature the contest was between prerogative and privilege; in the Courts of Justice it lay between prerogative—with some aid from Equity—on the one side, and Common Law on the other.

This quarrel was equivalent in some respects to a contest of race against race; absolutely it was not so, since the Norman came of the same Teutonic blood as the Saxon. But history, aided by the language brought by the predominant Normans from France, made the contest equivalent to a long contest between races.

Scotland had a contest of races of an absolute kind, being between Teuton and Celt, which comes up in many instructive and curious forms in our Register. The question of supremacy had been decided when the great host of Donald of the Isles was scattered at Harlaw; the question of justice and mercy remained. The neighbourly character attributed to the Anglo-Saxon race—the spirit of common fortunes and common burdens, whence arose the character of the municipalities and parishes, with trial by jury—had perhaps a stronger life among the inhabitants of the Scottish Lowlands than even in England. The municipalities were completely developed, and, not content with their representatives in Parliament, they became clustered together into a great central Municipality, extending over all the country. It is one of the testimonies to the transcendent power of the Privy Council that the municipalities readily submitted to its interposition in the settlement of internal disputes, and the definition of municipal privileges. A casual glance over the pages of this volume will show the prevalence of the system of mutual guaranty or suretyship among neighbours. A large portion of the Register, indeed, is merely the record where these obligations are preserved. If the whole conveys the impression of a turbulent people likely to suffer from each other's violent propensities, it also affords us a glimpse of a fine spirit of mutual reliance, justified by support in the hour of difficulty and danger. There is a reticulation for mutual assur-

ance and support throughout the country, and this reticulation is thickest by far on the Border. Borderers and Highlanders are sometimes brought under a common phraseology of the condemnatory kind, as thieves and broken men. But a little examination of some conditions of superficial resemblance in both may be useful in making clear great absolute dissimilarities. On the Borders there was generally a principal surety or cautioner, with subsidiary sureties bound to relieve him if he became liable to any sacrifice under the obligation. The owner of the most extensive domains among proprietors of the same name—the Scotts, the Elliots, the Kers, or the Johnstones—would be the most frequent principal surety for those of his name when they got into difficulties, and the surety would take bonds of relief from other members of the name or tribe—the person for whom the surety had been given being the first whose capacity for relieving the surety in money or any other shape is exhausted, his family and kindred following in liability in the order of nearness of relationship. The arrangement was a very effective one, so far as anything could be effective in restraining the Borderers from inveterate marauding. The Government would otherwise have found insurmountable difficulties in making penalties against a thief good against his accomplices among his kin and neighbours.

Among the Highlanders the system established in practice—and soon after the period when this volume comes to an end systematised into an Act of Parliament—relied entirely on certain Chiefs being responsible for the people on the lands possessed by them, or where their influence lay. The influence of this organisation was concentrated in the house of Argyll in the south, and that of Huntly in the north. The Highlander hated sheepskins, and no bill or other writ was necessary to establish the obligation. Command and obedience were things taken for granted, and if they were imperfect in practice, the terrible exterminating writ called "letters of fire and sword" was put at the command of the superior.

How helpless the Highlanders were supposed to be for any kind of common action, otherwise than for purposes of mischief, is shown in a curiously suggestive entry in the Register. On the

15th of July 1574, Isabel Bartholomew, widow of Robert Goodlet, mariner in Kinghorn, complains that her husband, having been at the fishing at Lochstrone, in the North Isles, in autumn, was beset and slain by the followers of Angus M'Alexander of Glengarry, "through whilk slaughter the said Isabel and her four poor bairns are in great perplexity." Angus is cited, and, unexpectedly, as we are entitled to suppose from Highland policy generally, he appears. The problem seems to be how to find a jury to try the question: but a jury of Highlanders is an anomaly apparently out of the consideration of the Council, and they pass upon the chief the following injunction: "Ordains the said Angus, of his own consent, to affix and hald courts as oft as need be within his bounds and dominion, and put the committers of the said crime to the knowledge of an assise of the merchants and mariners that first shall happen to arrive in Lochstrone or Loch Carron at the next fishing; and as they shall happen to be found culpable or innocent, to minister justice upon, conform to the laws of this realm, givand, grantand, and committand to him full power and commission to this effect."[1] This is such an extension of the boasted jury *de meditate linguæ*, as if in the old war with France—the Highlander and Lowlander were always at war—a Frenchman being killed, say, in a contest with an English privateer, the matter should be settled by the first group of Frenchmen that can be found sufficient for the construction of a jury.

The rather illogically-sounding condition that Angus is to give effect to the offensive injunction "of his own consent," introduces us to a curious feature in this part of the Register. In the Introduction to the first volume, an attempt will be found to explain the character and influence of the peculiar writ used both against criminals and defaulters under civil obligations—the denouncing as "rebel at the horn."

At the conclusion of "The Troubles" Scotland swarmed with "rebels at the horn," filling a variety of grades, from the leader who had fought for Queen Mary at home, and the diplomatist who had been at the Vatican, the Escurial, or Versailles, plotting against the establishment, down to the poor bankrupt shopkeeper

[1] Pages 382-3.

who could not pay his debt to his not much richer neighbour. A curious and picturesque Act of the Council, describing his Majesty's rebels as parading themselves everywhere like free citizens, seeks a remedy for the evil in a general clearance. Those who hold writs are to enforce them ; those who remain at the horn are to get themselves relaxed.[1] From that period the Council seemed to have been reluctant to issue the denunciation, with its terrible consequences, in every case brought before them, looking on the usual warrant as a letting loose of persons not easily to be controlled. Hence the clause requiring the person decreed against to give the remedy of his own consent. If he did not give it, the Council could afterwards interpose with the denunciation.

Between the jurisdiction of the Privy Council and that of the Court of Session, it would be difficult to draw such an absolute line of demarcation as rendered it necessary in England to invent the fiction of law as a means of getting over the boundary between one Court and another. There are symptoms of this general distinction that the Court of Session must always have substantive law for what it does. The Council is the supreme rectifier, going by the law where there is law, and making law where there is none. It assumes in some respects a command over the Court of Session, prescribing the course to be taken by that Court. Thus at Stirling, on the 14th of September 1572, there arises a complex question, one of the disposal of property forfeited under the treason laws, where, after there has been sufficient inquiry as to all claims and interests, "My Lord Regent's Grace, with avice of the saids Lords, remits the said matter to be decided before the Lords of Council and Session, ordaining them to proceed and do justice therein, conform to the laws of the realm, and in the meantime till the end and decision thereof has discharged all officers of putting the said letters in execution."

On the 9th of June 1573, there came on one of the complicated disputes scattered all over the Register, about the disposal of patronages and temporalities left in a state of chaos by the breaking up of the old Church. There is a question whether the chaplainry of St. John and St. Olave, within the College Kirk of St. Andrews,

[1] Pages 74 and 304.

belongs to the Earl of Crauford, or to James Fiddes, representing the claim of the Provost. The affair is in the Court of Session. It had gone to sleep at the beginning of the troubles, and was awakened after they were over—the sleeping and wakening being still technicalities in the Court of Session. Meanwhile James Fiddes had obtained from the Privy Council—surreptitiously as it is hinted—"by what means" the other party "knows not," "ane pretended decreet," "with letteres in the four forms;" and then it is pleaded that the said matter being dependent before the Lords of Session, "judges competent thereto, and large process led thereintill before them in manner foresaid, where the same yet depends, but (without) any final end thereof"—"My Lord Regent's Grace and Lords foresaid ought not to have proceeded thereintill, nor yet were they competent judges in such causes, but either the said Lords of Session, or Commissaries of Edinburgh, according to the Act of Parliament made thereanent." Here was a direct challenge, and it was answered by the Council finding "the said decreet given by themselves in favour of the said James Fiddes good and sufficient,"—at the same time they take occasion to reconsider the circumstances and the claims of parties.[1]

In a contest among the Kennedys for possession of the castle and domains of Balmaclennochquhen, one party obtained against the other a decree in the Court of Session, "and letters in the four forms passed therein," and had them "orderly denounced rebels and put to the horn" for delivery of the fortress. These writs were issued, "charging Gilbert Earl of Cassillis, Bailie Principal of Carrick, to remove the said persons, their servants and accomplices, furth of the said place and fortalice, and enter and input the said Gilbert and his servants thereintill, to be brooked by him as his heritage, under divers pains, and last under pain of rebellion and putting of him to the horn; and that the said Earl has contemptuously disobeyed the said hail letters and charges thereof, and was therefore on," etc., orderly denounced rebel and put to the horn, and so, in as far as the Court of Session is concerned, "no further charge nor execution can be obtained, directed, nor used against the said Earl, being the principal judge in his own country." The

[1] Pages 239-40.

Council consider the expediency of steps to remove the Earl from his Bailiary, but it is urged that this will be a tedious affair, and will have no effect in immediate remedy to the injustice committed, wherein the Council "respecting the equity of the course, will find ane other and nearer way." The nearer way was by citing him, and as, of course, he failed to appear, commanding him to "ward himself" or become a prisoner, in Blackness Castle.[1]

The Register contains one signal instance where a landed potentate denounced at the horn for oppression endeavoured, but without success, to clear himself from the shackles of "diligence." David Ogilvie of Auchterless and his son complained of the conduct of James Wederburn, son of John Wederburn in Dundee.[2] The Ogilvies stated that they sedulously attended in Edinburgh to meet the charge against them, "awaited upon the calling of the said letters, and ever being ready, like as they are yet, to have answered thereto, and not being called, after long and continual awaiting thereon, was constrained therethrow to depart hameward—nevertheless the said persons, as the said complainers are informed, has caused them to be denounced our Sovereign Lord's rebels and put to his Highness' horne wrangouslie." There must have been reason, however, for the complaints of oppression made by the Wedderburns, for their "letters" are found by the Council to have been "orderly proceeded," and all the Ogilvies achieved by their effort to rid themselves of the burden was that the Council ordained the letters "to be put to further execution, and they to be denounced as of before our Sovereign Lord's rebels, and put to his Highness' horne, and all their moveable goods escheit and inbrought to his Majesty's use, for their contemption, conform to the tenor of the letters in all points, notwithstanding the said suspension."[3]

A document that, for its importance and its novelty, may be counted the most valuable part of this volume, came upon the

[1] Pages 359-61.

[2] Possibly the same "Wedderburns of Dundee" whose name is associated with the curious collection of vernacular macaronics known as "The Wedderburns and their Work, or the Sacred Poetry of the Scottish Reformation in its historical relation to that of Germany, by Alexander F. Mitchell, D.D., Professor of Hebrew, St. Andrews, 1867."

[3] Pages 324-5.

Editor by surprise, because it was known to be missing, was frequently referred to by later Acts of Parliament as having received the approval of the Estates; and certainly had it been known to exist when the third volume of the Acts was passing through the press, would have been incorporated within it, as virtually an Act of the Estates, though preserved only in the Register of the Council. This document is always cited as the Pacification made at Perth on the 23d day of February 1572-3.[1]

This is an instance of what has already been noted, that in a country governed as Scotland was, the facts and conditions of a great transaction were well known, though the record had been lost. The document was adopted by the Parliament, and so came, no doubt, to be well known and amply discussed. There can be no question, however, that there is satisfaction in having it in full from an authentic source, were it merely that we should study, and, studying, admire the skill and fulness of its conditions, as a State paper bringing a terrible internal contest to an end. The same may be said of papers containing the delicate diplomacy attending on the admission of Queen Elizabeth's English troops into Scotland, to finish the siege of Edinburgh Castle. The importance attributed to the Pacification is acknowledged in the editing of the Statutes by the incorporation of any records referring to it like that quoted above, and therefore it is matter of wonder that, occupying a large place in the Record of the Council, it should have escaped notice.

A great share in the settlement of the ecclesiastical affairs of the period finds its way into this volume, especially in the realisation and distribution of the vast property left by the old Church, including the proper endowment of the new. There is abundant

[1] In the Acts of the Parliament of 1578 there are Acts of the kind that would now be called private, giving to certain persons the privilege conferred in the following terms, in the first in order:—This Act "gives and grants to Alexander Home, son lawful and heir-appearand of umquhile Alexander Lord Home, wha last deceised, the like favour, grace, and benefit of Pacification, made at Perth upon the 23d day of February, the year of God 1572 years, and ratified and approved in his Highness' Parliament, holden in Edinburgh in the month of April next thereafter, in the year of God 1573 years; and wills the same to be amply extended in his favour, in all effects, conditions, clauses, and circumstances thereof, as (if) the said umquhile Alexander Lord Home had been expressly comprehended and contained therein."—Act. Parl. Scot., vol. iii. p. 108.

material for the clearing up of the sometimes puzzling methods of detaching the celebrated "thirds of benefices." It has been referred to as one of the testimonies to the riches of the old Church that a third part of its revenues—and of course through the difficulties in realising such claims, a third that would in fact be only equal to a fourth or a fifth—was held sufficient not only for the endowment of the new Church, but for the support of the Royal Household. It does not appear that this application of a part even of their poor third was seriously resented or opposed by the clergy. Indeed, it was a wise arrangement for them, since it made them partners with the State in a common inheritance, and greatly increased the chances in favour of all steps for realising the "thirds." It appears that the clergy were losers by the arrangement for collecting the thirds into a national fund or treasury, and then distributing it among the clergy, to each his share. There are various attempts, as to which we do not, in the general case, know how far they were successful, to "allocate" each minister's claim on property in his vicinity, where he might see to his own interests.

We find, in the year 1574, the ministers and readers serving at the kirks annexed to the Bishopric of Dunkeld, appealing to the Council for payment of their share of the Thirds, along with "Alexander Master of Mar, having the charge of the provision of his Highness' house," a conjunction likely to operate favourably on the claim of the clergymen. The clergy state that a proportion of their livings and stipend is allocated upon the fruits and duties of the kirks where they respectively serve. There is not only delay in the payments, but the Bishop had, by some of the subtle diplomatic schemes of the time, obtained the sanction of the Court of Session to alienations by the Bishop or his predecessors, "whilks assignations of the said third the said Bishop ought to warrant to the said ministers, readers, and Provisor of our Sovereign Lord's house, and to assign as mikel as gude payment, in as commodious and competent a soume, in the place of that whilk is evicted and taken away by law, the default proceeding upon the said Bishop's own deed." Being an affair of a decorous character—differing from those where Borderers and Highlanders

have to appear—there is the rather unusual entry in the Register that all are present. The Council adjudge the Bishop "to warrant the said assignation of the said thirds to the said minister and readers, and Provisor of our Sovereign Lord's house, for the crop, etc., and siclike yearly in time coming, till as mikel, as good payment, in as commodious and competent a soume, be assigned in place of the said assignations, altered by the said Bishop's own deed."[1] This is one of several minutes dealing with the disposal of the "thirds" for the support of the clergy and of the Royal household, and it participates in a feature peculiar to all of them, for which there must have been a reason, that in discord with the tone of the legislative and official documents of the day, the provision for the King's household modestly slips in after the primary affair of the stipend of the clergy.

Breaking in on the complicated pecuniary adjustments by the great officers of the Government assembled in Council, we find many instances of the rapacity of the lay appropriators of Church estates, whether they appear as "Commendators," or in some less legitimate form of possession. Conspicuous among the rapacious, by the eccentric and picturesque fashion in which he conducted his business, is a Highland leader bearing the characteristic name of Rory Mackenzie. Being required to fulfil an obligation which, in more recent language, might be called the settlement of his tithe, he descends from the hills with a troop of mountaineers who swarm over the tithed lands, and with a chosen band he fortifies himself in the tower of the Church, converting it, as the Record says, into a filthy den of thieves.[2]

In what has just been said there is an attempt to note the broad historical conclusions around which the rich materials in this volume cluster. But the variety of the matters coming up through these materials is a feature beyond due definition and appreciation in a mere introduction. There is light frequently let in on matters affording disclosures that convey to some special student a significance such as an editor may fail to see. It was open, indeed, to arrange all the topics touched, and unravelling the documents connected with each, tell their teaching in so many

[1] Pages 363-4. [2] Page 276.

separate chapters. But this, however valuable it might have proved, was a task such as the present Editor did not feel courage to undertake. For two keys to the contents of the volume he refers to the affluent Index, and to "The Table." The method adopted in this Table is somewhat a favourite with the Editor. He does not expect it to be appreciated in literature as lively or entertaining reading. But it will not be what it is intended to be if any competent scholar in the history of the period, who sweeps it with a skilful eye, shall lose hold of any reference to a minute of the Council containing matter in which he desires to find instruction.

The Editor has had much experience in the use of a class of documents, some printed and others in manuscript, of a kind that, not being themselves narratives in the shape either of history or of chronicle, are yet among the most available materials for enriching and correcting history, in the literary sense of the word. He proposes to take this opportunity of saying a few words on the availability to this purpose of the present Register, and on the manner in which he has felt it his duty to deal with the valuable matter thus committed to his editorial charge. At the risk of being charged with an exaggerated appreciation of the dignity and value of his own peculiar pursuits, he sets out with the position that history, in the all-comprehensive sense of the term, is the most important object to which all documents resuscitated from oblivion can be devoted. It does not follow that the historian's touch is the sole thing, or even the most valuable contribution to the service of completing the visible history that is latent in the documents. It may happen that the archæologist, in pursuit of his own gifts and accomplishments in deciphering and commenting, has done a greater service to the ultimate result than he who puts all into a fluent story has done. Then for the all-comprehensiveness of the historian's work, it is proper that he should not content himself with a current story of events,—political, ecclesiastical, and warlike,—but should carry the torch into the inner life of the people, so as to reveal the origin and nature of social peculiarities, and the germ and growth of political and legal institutions,

along with the progress of art, science, and literature. It is often a mortifying result to the searcher among manuscripts to realise how little he has found that is both new and true—how naturally all the more valuable and significant facts touched in his unprinted sources have gravitated as it were into printed literature, by the weight of their innate importance. It becomes early an absolute law with the historian that he must exhaust everything within the range of his inquiries that is to be found in print, before he looks for anything in manuscripts. In the last century an amiable and accomplished Scots divine incurred a ludicrous punishment for the neglect of this canon. Ambitious of rivalship with Robertson, Ferguson, and Henry, he procured access to the State Paper Office, and for weeks enriched himself at the fountain-head of knowledge, only to find that all had been long revealed in the several collections of printed State Papers, and used by historians at large. The present Editor took occasion recently to examine a collection of letters, highly commended by a foreign author as revelations of a period of English history. And so they were to those to whom in a foreign country they were communicated at the time, because they contained Kings' speeches, diplomatic correspondence, and other documents, private in their day, but easily to be found by the present generation in the Parliamentary history, the blue-books, and other sources familiar to every educated person.

Still there are treasures in manuscript sources to reward the skilful investigator who has exhausted all that is available in print. And here comes into force a second canon of historical inquiry and composition not to be easily kept. In a faultless history all the parts must be proportioned to each other according to their relative importance in the development of the narrative, whether they are drawn from printed books or from manuscripts, —whether the knowledge has been easily acquired or has been the reward of long research.

Reference will be found in the first volume of the present work to Lemon's collection of State Papers as affording material for supplying a critical blank in the Register of the Parliament and of the Privy Council of Scotland—a blank apparently caused by the

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loss of portions of the records.[1] Of the twelve volumes, two are given to Scotland. They appeared immediately after Mr. Fraser Tytler had completed years of research in the shelves where the original manuscripts rest, and he might, had Lemon printed his collection a few years earlier, instead of being subjected to the drudgery of searching out his raw materials, have found them nearly all at hand, so as to follow the more genial employment of weaving them into a symmetrical and harmonious fabric of history.

The documents relating to Scotland are the only part of the collection even yet put to their legitimate use. The Editor is not aware of any services the purposes of English and Irish history, drawn from the great bulk of the collection, except a few citations in the History by Ranke, where the limits and proportions of the work did not admit of the full discursive comment which such documents invite. That such a book as Ranke's should be written by a foreigner, and that it is not the only complete history of England that has been supplied to us from Germany, shows a blank for some ambitious author to fill. We are expert in school-books, and, compact condensations of the whole into one small volume such as that of Mr. Green ; but for a history from beginning to end, that can be laid down when the story of one epoch is over, and taken up again for entering on another, the old household "Hume and Robertson," with all its weighty imperfections, holds its place against modern rivals.

Our greatest English Histories of the present day—Macaulay's and Froude's—are fragments, each covering a few years. It is perhaps desirable that history should have such a stage towards completeness. It does not appear that the life and faculties of one man have ever been sufficient to find all the materials for such a task and work, as a full history of the British Empire, "from the earliest period to the present time." There seems in fact three stages necessary to the task, and necessarily falling to different workmen. The first is the collection and arrangement of the raw materials by workmen in relays ; and for how much each of these may have to accomplish reference may be made to two great and

[1] See the passage cited, vol. i. p. 2, as to the question of the position of the Queen-Mother, Mary of Lorraine, in relation to the Regency of Arran.

learned books, entirely separate from each other in scope and character, as they are by centuries of intervening history. The one is the "Materials for British History," edited by Sir Thomas Duffus Hardy, a book of such vast learning as to remind one of Mabillon, Fresnoy Du Cange, and the Benedictines of St. Maur, a book with just one serious defect, in this, that the promise in the title-page is not fulfilled, since the one volume, with its thousand large folio pages, brings us no further on than the Conquest; a stoppage probably admitting of this defence, that the chronicles following on Bede and Gildas are abundantly published in the "Chronicles and Memorials of Great Britain and Ireland during the Middle Ages," under the charge of the same distinguished archæologist.[1]

The other learned collection of materials for British history, separated by five centuries from this book of the Roman, the Celtic, and Saxon period, is the State Papers of Robert Lemon just referred to. Though beyond the sphere of the devotee to the circulating library, this great work has its school of historical students. What is strange, and is indeed the reason for drawing so much attention to it here is, that hitherto the great bulk of its revelations, those relating to the Reformation in England and Ireland, have not yet been woven into history; but the time for this is sure to come. The man who should write the history of the period without a reverent use of these materials would at once be branded for his ignorance or his folly. There is one man to whom it might be expected to find in this task both a duty and a desire—Anthony Froude. It is not only that the period, being that of the actual Reformation, with all its passions and contests, is fuller of incident and convulsion, and power of individual character over events, than the one he has selected; but the materials are sought out and sorted to his hand, while for the period chosen by him he had all to find. David Hume and others have gone backward in the exposition of history, and the method is not an unnatural one, since it exemplifies in some manner the desire, after having established a knowledge of effects, to seek for

[1] Monumenta Historia Britannica, or materials for the history of Britain from the earliest period to the end of the reign of King Henry VII. Published by command of Her Majesty, 1848.

their causes. The world would heartily welcome the "History of England during the Career of Wolsey" from the historian who has made himself known to them in the "History of England from the Fall of Wolsey to the Defeat of the Spanish Armada." It seems anomalous that the fertile field offering its productive acres to the husbandman should be neglected and remain untilled, while he thinks fit to devote himself to the fertilisation of the stony and marshy desert. It is useless, no doubt, to warn the intellectual aspirant off the path he is led to by the power of his genius or the tenor of his affections. But at the same time, it is not yet too late, and we are not yet reduced to fancy in a pensive dream that we may "call up him" who left the tale half told.

If what has been here said be somewhat digressive from the proper matter in hand, the Editor offers as his excuse that he found in Lemon's collection an example in support of an opinion expressed farther on, against any taint of the courtship of immediate popularity finding a place in the class of books of which it is one. It may teach a practical lesson of patience to the scholars and workers in the field of archæology, if they have long to wait for a full appreciation of their services, that this, though among the most valuable of all the collections of materials for British history, has not yet found its way into what is usually called a readable form. It will prove a further incidental justification of this digression if it serve to make any student of the Register of the Council acquainted with the fact that in Lemon's State Papers he will find a large collection of documents bearing on the same historical topics, and in fact closely fitting into the substance of the present Register.

And now a word as to the method adopted in the editing of this volume, for keeping it within bounds, and endeavouring to disburden it of useless and superfluous matter. The explanation is necessary, because the careful perusal of the volume—if it obtains that homage in any quarter—will reveal variations in method, and consequently justify the conviction that the best method is not pursued throughout. In fact, experience and new forms of matter coming up suggested experimental varieties; and if these give sometimes a mottled aspect to the volume, there may possibly be

compensation in the development, out of the experiments, of some permanent rule, productive of uniformity.

One rule set down at the beginning, and explained at length in the Introduction to the first volume, has been adhered to, or at least has not been designedly abandoned, throughout. This is, that whatever appears in the Register to be of moment, historically, politically, socially, or from any other cause, is printed verbatim. The modern letters are used,—not the letters nearest in shape to those in the manuscript, but those identical in power; and the contractions are distributed each into the group of letters it had been invented to represent.

That this is the true way to render important historical or political record was shown in the course of preparing this volume for the press by a sort of crucial test. The Editor desired to waste as little printing as possible, as he saw, from the abundance of valuable matter in the shelves of the Register House, that to fill the pages with trifles or vain repetitions would be a wrong done to the faithful students of history and archæology. The sederunt in each minute,—the list of persons present constituting the acting Privy Council—naturally contained frequent repetitions of the same name. Still it was important to make known who were present; and, indeed, some curious and critical points in the History of Scotland turn on the names of the councillors present, and have been even driven into the question whether they are accurately set down in the Register. It seemed necessary, then, to preserve the names of those present, and also to give them literatim as they are given in the manner of the day, both because the manner is interesting in itself, and because it scarcely makes a sensible increase in the space to be filled. It was thought, however, unnecessary to continue the method taken at the commencement from the form in the manuscript of separating the names into columns, and a small economy was effected by a change accordingly. As the members of the Council vary through the change of years, there come up from time to time new names claiming to be entered according to the characteristic method of the Register. There was not the same element of variety in the name of the place of meeting, and consequently, instead of an exact rendering of it from the manuscript,

it came to be expressed in modern English, and placed in the margin or rubric. Anything, however, rendered available to abbreviation by condensing or evading the less valuable materials in the volume by such expedients as these was but a trifle, and others available on a larger scale had to be sought. Some Acts, such as the decree against eating butcher meat in Lent, were repeated at intervals, and the repetitions were easily spared, with explanations as to any variations on the earliest record. In a few instances, when a question involving much detail came up a second or a third time, the formal part being repeated, could be omitted, and the new proceedings only set forth. A vista of relief seemed to open as unimportant questions of private interests came up, undisturbed by any constitutional question, or characteristic act of oppression or violence,—cases such as in the daily administration of the present day refer to the justice of a claim for the payment of a debt, or the right to occupy a house. As such affairs made their first appearance, the form of process and the general method of dealing with them had an interest as exemplifying the growth of the law. It was only in looking forward to a period when they came crowding in on the records of the Council, that much relief can be obtained in this shape. After the period reached at the conclusion of the present volume, the amount of private law business transacted by the Council gradually and steadily accumulates. In the year 1612, it is put in a distinct shape by transference to a separate Record, separately bound up. The two chief Registers of the Council are then distinguished as the "Acta" and the "Decreta." When this stage of publication is practically reached in preparation for publication, it may be found that the volumes of the Decreta afford opportunities for large sacrifices of uninstructive matter, giving room for the more valuable contents of the Acta. But a preliminary glance discloses even in the Decreta some items of vital historical interest, as when some question of debt or ejectment brings out the bloody contest between the Government, with the House of Argyle as its representative on the one side, and the Macgregors and other clans of broken Highlanders on the other; but the policy to be adopted by the Editor who may have to deal with this period lies far in the future. Another mechanism

of abbreviation suggested itself in dealing with established forms. It is almost as much a law of nature as the laws of organic development in the physical world, that by administrative bodies and the scribes who work with or under them, like items of business come to be transacted in like or identical forms. Thence arises a branch of professional literature with the titles of "Practice," "Handbook of Writs," "Forms of Process," "Style-Book," and the like. The Council, even when acting as a Court of Law, did not cherish the growth of forms so genially as the proper Courts of Law. The excuse for seeking remedy from the Council was that the barricade of formalities raised round the Courts of law precluded redress in that quarter. The Council were supreme, and could do whatever they pleased, in their own way.

Still the stories told to the Council, however extensive might be their variation from each other in detail, naturally fell into certain words of usage here and there, and especially in the introduction and disposal. It may be "The whilk day the persons underwritten compeared personally," or "anent our Sovereign Lord's letters raised at the instance of," or "anent the complaint made to my Lord Regent's Grace and Lords of Secret Council," etc. The conclusion of a narrative of events setting forth acts of reif or slaughter by a Borderer or Highlander, or some act of oppression by a local magnate, may, in the general case, be anticipated as "oft times called and not compearing," followed by denunciation of horning and other execution. But there are varieties of a characteristic kind even in these matters of style and form, influencing in some measure the tenor of the whole transaction. The saving to be accomplished by omitting those absolutely identified as verbatim the same would accomplish but a small saving of space. It would require an organisation of a kind probably troublesome to the reader for understanding in each instance what it is that has been omitted.

Then there came up the larger question of a general abridgment of the whole. This plan had been adopted with acceptance in relation to other Records and documents,—why should it not be applied to the Register of the Privy Council of Scotland?

This question was tested by an experiment costly at least in

labour. A portion of the Register, filling about 150 of the printed pages in this volume, was abridged. The result was a body of matter so flat and unprofitable that the printing and publication of it would have been sheer waste. The editor, it may be said, is of course not likely to admit that the defect was in the manner, not in the matter. He had to form an opinion on the affair as it stood, and that opinion was that the greatest master of abridgment—if the operation admits of so high a degree in accomplishment—could have done nothing to improve the result. It became clear, indeed, that if there was abridgment at all, the closer it was the better. Let it tell in the briefest of terms the outline of the transaction—the thing done—without a word descriptive of the events that have occurred, or of the temper in which these events are treated by any or all the persons concerned. It was in this view that the short analysis of each minute contained in "The Table" was prepared.

All the valuable and significant portions in the minutes so abridged had to be afterwards copied from the original manuscript Register, according to the method referred to above. A few specimens of the abridgment, relating to matters of secondary interest, were allowed to remain, so that the student may judge for himself whether they are specimens of a method that could have been to his satisfaction and approval applied to the whole. In some other instances, a method of economising space that will be found more or less throughout both the volumes was followed. It was recorded as to some one that he is ordered to find surety, or that he has found surety, and it is accepted, or that he is denounced at the horn, or that he shall enter himself by appearing before the Council, or that he shall "ward himself" by going into captivity within some castle, prison, or walled town. Such orders are generally supplementary to some minute that has been printed in full as recording some affair of importance or interest. The minute containing the picturesque story of Rory Mackenzie fortifying himself against the tithe-collector in the church tower had to be told in full. Yet it seemed sufficient that subsequent orders respecting Rory of the kind just referred to should be noted in chronological order in the briefest terms.

Taken as a whole, all the methods of abbreviation here referred to acquired but trifling available space for the valuable portions of the Register. At the same time, as the work went on, there gradually grew a serious impediment to all efforts for economy, in the crowding in of proper names, all but a few being the names of obscure persons. In the Introduction to the first volume it is stated that all proper names are to be printed for the purpose of being available to genealogical inquirers; and it is desirable to adhere to that statement as an implied promise for the future, if it be found practicable and convenient to do so. But Borderers are called up in considerable groups, and ordered to find, or recorded as having found, sureties for giving compensation to persons plundered, or for good conduct in the future. Several burgesses are sometimes entered in a minute about a Corporation quarrel. When the particulars of unimportant private litigations are omitted, the names remain. The climax of this difficulty will be reached when the litigations before the Privy Council come to be collected from the Register of "Decreta."

A large portion of the present volume was printed ere a remedy against this difficulty suggested itself to the Editor. It is sometimes a matter of considerable moment to the genealogist to know that at a certain period a person with a certain name was alive. It may be of further moment to him to know what that person was doing at the time, so as to bring it to pass that his existence stands registered in the Records of the Privy Council of Scotland. It would be unreasonable, however, that for the chance of doing him this service, a book otherwise filled with interesting matter should be rendered unreadable. Let him go to the original Record. To save such waste of time and labour as genealogical investigators have often incurred in searching the Register without a guide, the Index of Excluded Names standing before the General Index was devised. It contains names in the alphabetical order of the surname, and attached to each name the date of its occurrence in the Register. There is only one Register as yet referred to—that of the Acta; but when the Decreta and other auxiliary books are reached, then the title of the special Record carrying each name may, if it be thought worth

while, be entered in this Index. It was found practicable to give something more even in this Index than the mere name and date, by way of indicating the capacity in which the person named entered the Record. The reason for excluding the minutes containing these names from the body of the work is, that these minutes resolve themselves into groups, all the minutes in each group being in the same form with very slight, where there is any, variation. Hence the Index may announce a charge of horning, a finding surety, or becoming surety, and so of other transactions.

The Index of Excluded Names must be counted merely as a tentative experiment. It is short and can do little harm where it is, whether it be counted successful as a factor for the consultation of Records or not. As already announced, a considerable portion of the volume was printed before it was begun, and like innovations generally, the first efforts in adjusting it were imperfect, and even when the method was completed, it was sparingly adopted. Hence until the volume was far advanced, the Index did not contain all the cases that, under the arrangement and grouping noticed above, would have been relegated to it. The influence of its gradual adoption may perhaps be noted in "The Table" where there are many brief entries at the commencement—entries not much longer than the items in the Index, while in going onwards, the paragraphs become by degrees more full, as professing to be breviates only of important transactions set forth in full in the body of the book.

These devices afforded but a trifling economy of space, and left ever present the more weighty questions—What portions of the original manuscripts might be omitted?—What other portions might be abridged by effectively setting forth their tenor in fewer words? It is now some forty years since Mr. Patrick Fraser Tytler, who had spent many years in extracting the materials of history from unsorted manuscripts, suggested how valuable an acquisition it would be to those devoted to such a task if the manuscripts were sorted, and brief Calendars of their contents made, so that the searcher among them might have some clew to the parchments or papers likely to afford light on the object of his

researches. Thence came, among the earliest of the volumes issued under the auspices of the Master of the Rolls, the two volumes edited by Markham John Thorpe in 1858, with the title "Calendar of State Papers relating to Scotland, preserved in the State Paper Department of Her Majesty's Public Record Office," the Scottish series of the reigns of Henry VIII., Edward VI., Mary, Elizabeth, 1509-1589.

It would not be easy to devise anything more perfect for its purpose than this book. A skilful eye had run over each document, and a hint, short but significant and instructive, is dropped to inform the searcher what he may find there. Thus :—

"1534—June 5. King James V. to King Henry VIII. Had received his letters by his Bishop and Treasurer. Will truly and instantly persevere in kindness towards him."

"1548—March. Duke of Somerset's instructions [to the Lord Grey], for the fortification and furnishing of Lauder, Hume, Hadington, etc., and to burn as much corn and houses beyond Musselburgh water as he can."

"1548.—Duke of Somerset's instructions to Grey more fully set out, for the victualing of Broughty Craig, Lauder, Hume, Hadington, etc."

If entries such as these sufficed for all purposes ; if the documents could, after such a note is preserved of each one, be discounted as containing anything more to instruct any one, and be cast aside or destroyed, then indeed a great achievement would be accomplished, since the papers calendared in Mr. Thorpe's two volumes would probably, if printed at length, fill fifty—perhaps a hundred—volumes.

On the other hand if we count such a calendar as a mere guide to the historical investigator—a guide to the place where he is to find his material, we may find a way to estimate another method where the substance or tenor of the old document is rendered in a more or less abridged form in modern English. Instances may be found where such abridgments are nearly as long as the documents they represent, the chief alteration being

in the conversion from the first person to the third, with the spelling fashionable to the period of publication, and the substitution of modern for obsolete words. It is the old story told over in a new form, and it may be suspected that the inducement to such a metamorphosis is the hope of securing readers who would be alarmed by having to stumble over archaïcisms—the hope of achieving some share of popularity. It is a vain hope. The document does not gain the novel-reader by being poisoned for the purposes of the historical investigator. A word, even a letter, may suffice to stimulate a pleading in some great historical feud. In the general case the historian will rely on anything printed as an exact literatim copy. But he will not be satisfied with another man's interpretation, of what he intends to interpret according to his own sense of its import—hence the full abridgments are insufficient in many instances to relieve him from the necessity of making a journey to consult the original manuscript.

Then to the habitual student of archaic writings, they impart in their native shape a sense and fulness that is lost to them by translation or transposition. They are the companions he has long conversed with, and they lose all their geniality and much of their intelligence when their voice and language have changed. The mutilation or adulteration of the historic portions of the Register of the Privy Council of Scotland would be an aggravated offence. It is a magnificent treasury of the Court language of Scotland, especially during the sixteenth century. It is distinct, affluent, and powerful; a vast museum of specimens for the use of the etymologist, whether he limit his analysis to the tongues of England and Scotland, or widen it into the connection of these with the great Teutonic languages of the European continent.

Whoever desires to study in detail the effect of modernising old writings, by comparing a collection of specimens prepared in both forms by a skilful archæologist, may have his opportunity in a comparison of the two editions of Lodge's "Illustrations."[1]

[1] Illustrations of British History, Biography, and Manners in the reign of Henry VIII., Edward VI., Mary, Elizabeth, and James I., exibited in a series of Original Papers, etc. 3 vols. 4to, 1791. 3 vols. 8vo, 1838, by Edmond Lodge, Esq., K.H., Norrys King-at-arms.

The original edition, published in quarto, near the end of last century, professes to have been rendered in the original spelling, and doubtless it was so, with absolute scrupulosity, for the Editor was master of his materials. More than forty years passed between the two editions; and as, in the meantime, the Waverley Novels and many other contributions to literature brought incidents of British history into popular favour, to give it all the easier an access to the new world of readers, supposed to be thus created, the collection was reprinted in the spelling of the period of republication, the editor, as appropriate to this alteration, offering the following explanation in reference to the full and erudite introduction to the first edition, which the possessors of the second have the fortune to find in it:—"Little more seems to be now required, than to state shortly the additions and other alterations which have been here adopted. Among the most material, perhaps, of them is the modernised orthography of the original papers, which, however unnecessary, and perhaps even unacceptable to antiquarian readers, frequently rendered those originals repulsive, and all but useless to those of the present day."

But the modernisation does not seem to have made the reprint acceptable to the class so addressed, however repulsive the other method might have been. The quarto edition of the "Illustrations" is still a book in much esteem, while the later edition is one of the class of books that no one knows what has become of, and though rarely appearing in the market, when it does, is not coveted by collectors. In fact it seems to be that those who cannot read old papers in their old spelling do not care to read them in the new, and that those who are familiar with archaic writing like to have it in its native condition.

The lesson taught by this and many other instances that have come under the Editor's notice is, that neither the rush of the reading club, nor the prompt notices in the public press, must be held to be the test of success in contributions to archaic literature. In other sciences the books that have immortalised men have not commanded readers, but have established their repute through the homage of the student. Who now reads the "Novum Organum" of Bacon, the "Principia" of Newton, or Kepler's "Epitome"?

The readers of the "De Re Diplomatica" of Mabillon have possibly not been so many as those that in a week or two have devoted themselves to the last popular novel, though the book has been more than a hundred and fifty years in the hands of students, and is the foundation of all our learning about the Middle Ages—of the learning that gives value to the best historians of that period, and gave life and action to the great romance of Ivanhoe.

The archæologist, like other teachers, must be content that his works are used and appreciated by students. This is perhaps a trite enough truism in itself, but yet it is one that, according to the Editor's lengthened experience, has not been duly taken home, the expounder of archaic science being too apt to expect popularity, and in the hope of gaining it, to spoil his work. It is when transfused through history that the common reading public become acquainted with his triumphs, and that trumpet does not immediately proclaim his fame—perhaps there may be long delay in the acknowledgment, but it must come in the end. Nothing is more certain than that any book honestly and learnedly giving access to archaic knowledge previously unknown will some day or other be announced in current literature to the world ; and while it remains unannounced, its author may fairly console himself with the belief that he has many approving pupils among the scholars devoted to his own class of scholarship.

The destiny of a book already referred to—a book dear to all students of history during the sixteenth century of the countries that make up the United Kingdom of the present day—may serve to give some practical reality to these vague remarks. This book, making twelve large quarto volumes, has the brief title—"State Papers, published under the authority of His Majesty's Commission," the first volume bearing the date 1830. The collection is known as Lemon's State Papers, but all that announces his scholarly services is a brief minute of the meeting of "a brief meeting of a Board of Commissioners for printing State Papers, held at His Majesty's State Paper Office, on the 7th day of February 1829." The commissioners present were Charles Manners, the Speaker, Sir Robert Peel, then Home Secretary, Sir Charles Watkin Williams Wynn,

John Wilson Croker, and Henry Hobhouse." By these it is "ordered—That the letters of Cardinal Wolsey to Henry VIII., and also the correspondence between that sovereign and his ministers, be forthwith printed in the manner and form as they are at present transcribed, and submitted to the board." This order is signed "Robt. Lemon, secretary." Nothing but this signature stands in the book to connect Lemon's name with it, but all who are acquainted with the historical sources of the period know both that it is the most valuable and learnedly edited collection of British State Papers, and that it was entirely the work of Robert Lemon. It was one of the fortunate instances where the men nominally intrusted with the duty of selecting and laying before the world the most instructive and important among a mighty chaos of old papers, were too eminent in position, and too busy with the affairs of the State, to interfere with the adept who did the work in their name.

To enable him to do justice to the two volumes of which this is the second, the Editor had to desert for a time a project that was to be the harvest of long-cherished research in a region of history far away from the Scotland of the sixteenth century. Before returning to this uncompleted work, with a zest quickened by abstinence, he takes this opportunity to leave a few hints supplied by his experience as to the future of the Register of the Privy Council.

By the first arrangement, the services of the present Editor were to be limited to the first volume. In bringing that to a conclusion, however, a considerable part of the work of supplying the second was virtually laid out, and so it also is now brought to a conclusion. The Editor's acquaintance with the treasures of the Register House began so early as the year 1833, under the auspices of Thomas Thomson, then in the prime of his great faculties, and full of zeal in the great task of laying a solid foundation for our knowledge of the Scotland of the past. He was a genial Gamaliel, readily gathering round his feet any young men who showed symptoms of the desire expressed in the ecstatic climax attributed to Prynne, that "there was nothing so ravishing as records." The world

thought him inclined to reticence in imparting the harvest of his labours. Delay in completion and publication was part of a fastidious nature aspiring after perfection, and nervous about committing itself to the finishing touch. It was a quality that made the contents of his workshop all the more valuable to the favoured student. There were impressions of large fragments of unfinished volumes piled in heaps, and the Editor had the satisfaction of carrying home for study printed Records that were not to be given to the rest of the world for years to come.

On occasionally searching for information in the Register of the Privy Council, the Editor felt something like depression at the vastness of the historical material rendered difficult of access, and he frequently hoped that a day might arrive when the task of searching these would be less difficult.

At the desire of the Lord Clerk Register, he made recently a prospective survey of a considerable portion of them. Looking only to the matter valuable as the materials of history, and separating this portion as distinctly as such a general survey permitted from the less valuable entries, he came to the conclusion that ten volumes, including the two already published, would be supplied from the Register down to the year 1628.

In looking to what is to be done with so abundant a source of knowledge, it may be well to remember that the purity of the text is a matter of infinitely greater moment than editorial decoration. Parliament now passes an annual vote for the purpose of collecting and printing choice portions of the national archives in the Register House. If still more valuable means of employing this money be found, it is well. But it would surely be cause of deep regret if any portion of it should be lost, while it could be expended in printing, or even in transcribing the more valuable portions of the Register of the Privy Council.

THE TABLE.

1569.

July 27. (1) The Regent and certain of the nobility being in Convention for the ordering and settlement of the Kingdom, proclamation that all keep good order in Perth where they meet, ... 1

(2) The names of the Noblemen and others of the Estates convened at Perth on 28th July, ... 2

(3) John Wood, Senator of the College of Justice, reports his negotiations with the Queen of England. He produces, under the hand of the Secretary to the Queen of England, three "degrees" or alternative propositions for the consideration of the Estates of Scotland, in endeavouring to adjust the relation of Queen Mary, and her son as King-elect, with certain other propositions for ordering the Realm of Scotland. After full consideration, the Convention seeing difficulties and danger, cannot adopt the suggestions. They have no objection to a conference on the Border, between representatives of both kingdoms, ... 4

(4) Acknowledgment that Wood has truly, honestly, and diligently discharged his duty at the Court of England, ... 6

July 29. (5) Answer to the requisition of the General Assembly of the Kirk as to ministers' stipends, manses, and glebes. Arrangements for putting them in possession, under specified conditions, ... 6

July 30. (6) The Lord Boyd produces a procuratory "subscribed by the Queen-Mother, to the King our Sovereign," to direct the Commissary Court to proceed in an action to divorce her from Bothwell. The Council divide, the voters on each side being named. There are nine to grant the application, and forty to refuse it, ... 8

August 1. (7) The Earl of Huntly to answer to certain complaints, . 9

(8) Registration for execution, of a decreet-arbitral to the effect that, between Donald Gormeson and his followers on the one side, and McKenzie of Kintail and his followers on the other, there shall be an end to all "variances, contraversies, debates, depredations, murders, slaughters, heirships," and the like, ... 9

(9) Muster and other steps for besieging Dumbarton Castle, . 11

August 9, 17. (10) Certain persons found sureties to keep the peace to others, ... 12

August 22. (11) Dispute, Menteith of Westkerse and Bruce of Clackmannan, about the privilege of holding the Fair of Clackmannan. Both superseded in the meantime, and to be held by Royal officers-at-arms, ... 13

(12) Dispute about the teind sheaves of Over Gogar. Poinding and apprisement, on precept of the Commissaries, resisted, with deforcement. Decree for remedy and delivery of the goods, ... 13

(13) Dispute about election of a Provost of Inverkeithing. Answers ordered and matter continued, ... 15

(14) Default of cautioners for "James sometime Earl of Bothwell," for payment of the yearly duties of St. Mary's Kirk of the Lowis. One of them, John Mossman, to be warded, ... 16
August 24. (15) Surety found for delivery of the goods liable for teinds at Over Gogar, as per No. 12, ... 17
(16) Walter Scott of Branxholm having become surety for the appearance of Gavin Elliot of Fallinesche and other Elliots, and they not appearing, letters issued for levying the penalties by apprising, . 17
August 25. (17) The question between Henderson and the inhabitants of Inverkeithing resumed and continued, *cr.* 13, ... 18
August 27. (18) The question remitted to the Lords of Council and Session, to decide who have the undoubted right to the Provostry, and power to elect parties, *cr.* 13, 17, ... 18
August 28. (19) Raid or muster of fencible men of certain southern counties at Hawick, provisioned for twenty days, ... 19
August 29. (20) Question of Dalyel of that Ilk presenting Grissel Bruce, ... 19
(21) Siege of Dumbarton. Injunctions on neighbouring Barons. Taxation, ... 20
Farther as to the siege. Disposal of boats on the Clyde, . . 21
August 30. (22) Elliot of Skelfhill to appear before the Regent, . . 21
(23) William Blackwood produces the Register of Dunblane, . 22
August 31. (24) Certain Elliots to appear, having not only broken ward, but "ridden in theftuous manner," 22
(25) Tax of nine shillings per pound of old extent in certain districts for the siege of Dumbarton, ... 22
September 1. (26) Horning against Lord Seton, ... 23
(27) Security, Nory of Boquhopple and his followers not to molest John Calder, ... 24
September 3. (28) Proceedings against the surety for the Elliots, *cr.* 24, . 25
September 6. (29) Furnishing artillery for the siege of Dumbarton, *cr.* 21, 25
(30) Sureties in favour of Nory of Boquhopple, *cr.* 27, . . 26
September 7. (31) Surety, William Blackwood not to abuse the Register Book of Dunblane, ... 26
(32) Surety, the brother of Ramsay of Banff not to molest the Parson of Esse, ... 26
(33) Further procedure on the sureties for Boquhoppill, *cr.* 30, . 27
September 9. (34) Scott of Balwearie and others surety for Lord President Sir James Balfour warding himself in St. Andrews, . . . 27
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(36) Poinding against Lord Hay of Yester. Deforcement, . . 29
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(38) Raid or muster at Hawick against the thieves of Liddesdale, 31
(39) In furtherance of the siege of Dumbarton, the fortalice of Boghall to be demolished, ... 31
(40) Dispute about the teinds or tithes of Sauchtonhall. To remain unlevied until a settlement, ... 32
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September 30 and October 3. (43) Rutherfurds and others finding surety for wardings and payments, ... 34
October 8. (44) Surety for restoration of abstracted oxen, ... 35
October 10. (45) The question of Lord Hay of Yester and the poindings and enforcement, resumed, *cr.* 36, ... 35
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(47) Sureties and Entries—chiefly Borderers, ... 37
(48) Laurence Lord Oliphant—Complaint of attack on him and his servants in Caithness. Particulars of the fray. Arrow wounds. Earl of Caithness cited, ... 37
October 17. (49) Certain Deans and other Churchmen cited before the Council, "to answer to such things as shall be laid to their charge," on pain of horning, ... 40
(50) Transactions by sureties and otherwise for securing obedience of Elliots, Armstrongs, Grahams, Johnstons, Beatsons, Irvings, Bells, Jardines, and other Borderers. Designations by nicknames, and sometimes grouped in "haill gangs." Obligation on the chief who cannot bring them to reason, that "he shall burn them, and put them, and hald them furth of the country," 41
October 20, 21, 23, 25, 29. (51) Further procedure in taking sureties for Borderers, and citations to appear before the Council, ... 51
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November 6. (54) Adjustment of the Borders continued. Names of the pledges, where they are placed, and by whom they shall be interchanged, ... 52
November 8. (55) Martin Elliot of Braidley gives assurance that he will meet and confer with any gentleman the Regent may send to him. Is ready to serve the Government in Liddesdale, in keeping the Armitage or otherwise. Ready to enter one of his sons as guarantee for good service, ... 55
September 20. (56) Kerr of Hirsel on the one side, and Humes of Manderston and Huttonhall on the other, submit the question between them as to the kindness to the teinds of Hirsel. Cause remitted to be decided by order of law. A servant of the Crown to take charge of them in the meantime, ... 56
(57) The question of the Lord Oliphant's treatment by the Caithnessmen resumed (48). The Regent being alone in Kelso when it was brought before him, waited for assistants. Earl of Caithness to appoint deputes to investigate the matter. Holding Court in Elgin to be as valid as in Caithness. The case of Lord Oliphant to be tried by his Peers before the Justice-General in Edinburgh, ... 57
(58) Opposition and riot at election of Magistrates of Ayr. Election defeated. Magistrates as at previous election to remain in office until the question settled, ... 59
(59) Peculiar misconduct of George Lockhart, burgess of Ayr. Referred to the next General Assembly of the Kirk, ... 60
November 23. (60) Johnston of Kirkhill, in the King's Market at Dumfries, and under "our Sovereign Lord's protection and his pledge,

entered in ward within the Castle of Edinburgh," assailed by Maxwell of Cowhill, and seized and warded till he found surety. Discharged, and Maxwell warded in Edinburgh, ... 61

(61) Alexander Jardine having become surety for William Graham to Armstrong of Kininmonth, discharged, because all bands for entering of true Scotsmen to "thieves" are discharged by proclamation, . 62

(62) Walter Chapman in Barwoodhead and his wife assailed when cultivating their fields, by Hamiltons and others at the horne. Rief and oppression there and elsewhere. John Hamilton of Stanehouse, as Sheriff-depute, held responsible and cited. He being a rebel at the horne, the Duke of Chatelherault, Sheriff-Principal, who is in ward in Edinburgh Castle, is charged to have the office of Sheriffship performed by honest and qualified lieges not at the horn; otherwise the inhabitants to be discharged from obedience to the Sheriff, . 62

(63) Dumbarton assailed by a force, partly sustained by the Crown, partly by the country. The Regent being called on other weighty business, has consulted with the nobles, barons and burgesses of certain south-western counties, with the result of a further levy for continuing the siege. Arrangements for enforcing, . . . 65

November 27. (64) Obligations of the nation to Queen Elizabeth. The peace with England to be strictly kept, and violators punished, . 66

December 8. (65) The peace of England disturbed by the rebellion of the Popish Lords in the north. Retiring before a superior force, and retreating northwards, and likely to enter Scotland and support themselves on the substance of the inhabitants. A muster of the fencible men south of the Forth, with eight days' provision, to attend the Regent, ... 67

(66) Obligation to enter Elliot of Thorlishope in ward, . . 67

(67) By the Regent's presentation, William Douglas to succeed Alexander Winchester in the vicarage of Elgin. The superintendent so to act in admission of this nominee, as he shall be responsible to God and the General Assembly, ... 68

(68) Decreet in favour of William Carmichael and his wife in claim on the four merk land of Easter Newton. Deforcement of officers of the law giving effect. Letters against the deforcers, . . . 68

December 13. (69) Dispute among certain Grahams as to marches. Referred to commissioners. They report difficulties with other marches. Matter continued, and the disputants to remain meantime in Edinburgh, ... 69

(70) Lord Seton to enter himself in the Castle of St. Andrews, . 69

(71) The English rebels, retreating and desperate, likely to take to the seas as pirates, or escape abroad from punishment. No assistance to be given, or intelligence held with them in Scotland, on pain of treason, ... 69

December 15. (72) Shaw of Hailie, with fifty followers well armed, invaded the lands of Hew Cathcart, and "houndit, wirriet, drownit, and ane part clippit" about a hundred sheep. Failing to appear on citation, denounced, ... 70

(73) Dispute as to lands among certain Meldrums. One party accused of "wrongous, violent, and maisterful spoliation, awaytaking, resetting, intromitting with and withholding" of farm produce. Decree for restoration. Deforcement of officers attempting to enforce it. Denounced, ... 71

December 18. (74) The English rebels of the north having oppressed their Protestant fellow-countrymen, threatening to cross the Borders with displayed banners to invade Scotland, and "erect and set up again the Papistical ydolatry and abominable mass;" muster of the fencible men in certain southern counties, fully accoutred, with ten days' maintenance, to meet the Regent at Peebles, ... 72

December 19. (75) The muster extending to the midland counties, as far as to include Kincardine, ... 73

(October 8, Kelso.) (76) Ker of Cesford, Warden of the Middle Marches, charged by Male Windigates to pay a debt of £37, 19s. or "re-enter" (render back as a captive) the man delivered to him at that ransom. The obligation transferred to Rutherfurd of Hunthill, ... 73

December 27. (77) Disorganisation of the country. The process of horning ineffective and contemned—defects in the process—neglect of inventory. The multitude of nominal rebels so great that it will be difficult to know them from the King's obedient subjects—urgent demand for a remedy. The Justice-Clerk to make a list of all under horning since the coronation. The Treasurer to make a roll of all escheats disponed, and of remissions. All persons who have executed hornings and the like, are to give in a list of the persons denounced, to the effect that the names of all who are by denunciation "rebels" may be set forth in a list, and printed. Copies affixed on market crosses and otherwise. If those on the list happen to be Judges or other high officers, they shall be incapacitated while remaining at the horn; and if private persons, they shall have no right to pursue or defend in courts of law till process relaxed. Every person having right to horning and the like, loses his advantage if the process is not renewed within a month. Method of renewal and other auxiliary arrangements, ... 74

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(78) List of documents initiating the Regency of Mar. (Documents at length in printed Acts), ... 78

September 7. (79) The Earl of Eglinton liberated from Doun Castle, his son entering himself in Stirling Castle, with other sureties, . . 78

(80) The Earl of Cassillis liberated from Dumbarton Castle, his brother entering himself in Stirling Castle, with other sureties, . 79

September 8. (81) Complaint, Archibald Douglas, Parson of Glasgow, and Senator of the College of Justice. The Regent, representing the Sovereign, had presented him to the Parsonage of Glasgow, requiring the Kirk, ministry and superintendent to admit him. Has offered trial of his doctrine and qualifications. Two conditions stated by them—that he shall be removable at their pleasure, and shall be resident. As he must give attendance on the bench, these conditions frustrate his entering, and he has no other provision. Was prepared to appoint and remunerate a minister for ministration of God's word. The Council hold, that in respect of his being a member of the College of Justice, the presentation and refusal to receive him are a sufficient investment in the fruits of the benefice during his lifetime, ... 79

September 13. (82) Captain David Hume had been appointed to administer the estate of the late Maitland, younger of Lethington. Some

debtors to the estate had, on frivolous grounds, obtained suspension of procedure. Part due to the soldiers under Hume's command. Parties accused failing to appear, denounced, ... 80

(83) The widow of Spottiswood of that Ilk desires that her sons be prohibited from interfering with her farming operations. She failing to appear; discharged, ... 81

September 22. (84) John Lenox of Woodhead asserts that he was quietly at his prayers, when the brother and sons of Kincaid of that Ilk attacked and wounded him, and carried him to the place of Kincaid. Partial appearance, and denunciation of the non-appearers, . . 82

October 5. (85) Siege of the Castle of Edinburgh. All good subjects to lay aside their private grudges and particular quarrels, and bend themselves against the enemy. A general muster—nobles and barons as well as commoners to be prepared to camp in the fields and keep watch and ward. As the enemy refuse to render prisoners, all taken on the Regent's side to be kept, ... 83

October 19. (86) Burgesses of Jedburgh accused of tumult and sedition. Charged to enter themselves in Dumbarton Castle. Disobey and return to Jedburgh. Denounced, and harbouring or intercommuning with them prohibited, ... 84

October 24. (87) State of Edinburgh during the siege of the Castle. Honest citizens have withdrawn, while others remain and connive with the enemy. Courts of Justice removed to Leith. Officers of Court and professional lawyers required to attend there. Time allowed for reaching Leith, according to distance, ... 85

(88) As to inhabitants of Edinburgh remaining there to participate with the rebels who hold the Castle. The Magistrates of Edinburgh, who are abiding in Leith, are to make up a list of the ill-affected citizens co-operating with the enemy. Commanders of ships warned not to receive them or their goods. All licenses to inhabitants of Edinburgh to pass out and in revoked, ... 87

November 5. (89) Collectors of the Thirds failing in payment of ministers' stipends and support of the Royal establishment. The superintendents to assemble and give counsel, and the collectors cited to attend. Proclamation that no payments be made to collectors in the meantime, until they get new instructions. They are to produce the rentals, with the executions against alleged defaulters, ... 90

October 23. (90) The Regent, the Council, and others of the nobility attending. Arrangements for completing the establishment of the Courts of Law, for the time, within the Tolbooth of Leith. Proclamation to be made that all who pursue or defend are to resort to Leith, ... 91

November 9. (91) Huntly having stirred up his brother, Adam Gordon of Auchindoun, to take command of a rebel force, the fencible men of Kincardine called by proclamation to meet the Lieutenant at the Kirk of Fordun, ... 92

October (92) General proclamation to charge all inhabitants of Edinburgh to come forth with their bag and baggage in twenty-four hours, under pain of being treated as rebels. They are not to enter Leith, or be anywhere within four miles of the army, ... 93

November 13. (93) Stewart of Scotstounhill alleges that he got commission to be Sheriff-depute of Linlithgow from Hamilton of Kincavil, the Sheriff-Principal, and has so acted, administering the law.

Another appointed by the Principal to supersede him, though he has possession with tacks for years to come. Decision, that Stewart continue to act until further proceeding in the question, . . . 94

November 15. (94) Jardine of Apilgirth charges John Graham, called "the Prior's John," followed by outlaws and broken men, both of England and Scotland, with invading his lands and burning 2000 sheaves of corn, also fourscore cattle, putting two servants to death, and taking his brother prisoner. The Lord Oliphant having been intrusted with the custody of Graham, who escaped from him, should be responsible. The Lord Oliphant maintains that Graham was taken away by sufficient warrant. Opportunity given for his proving this, ... 95

November 16. (95) Reference to minute of 5th, as to the Thirds of benefices. The inhibition against payment to the collectors discharged. The dues to be duly rendered by the tenants as of old; and proclamation to be made at suitable places, that this may be fully known, *cr.* 89, ... 96

November 26. (96) No vessels in the Firth of Forth to be unloaded anywhere on its south shore but at the Port of Leith, except by special license from the Regent. Penalty, treason. All goods landed in contravention forfeited, ... 97

December 1. (97) In the matter of Lord Oliphant and the Grahams, he is relieved by another Graham becoming surety for the Prior's John, *cr.* 94, ... 97

December 2. (98) Chancellor Morton and the Secretary render account of their conference with Lord Hunsden, Governor of Berwick, and Commissioner for the Queen of England. Acquittance as having done their duty. No particulars, ... 98

December 5. (99) Charge by Grisel Fary against Captain Thomas Craufurd, of an illegal distraint on her and other lands, and the removal of "twa ky" and "ane lyart hors." Particulars in the procedure as "express contrair all laws and practick of this realm, setting aside thereby the gude and observit practick and privilege thereof." Parties complaining ordained to pay their arrears to Captain Craufurd, ... 99

(100) Complaint.—Janet Strang that Patrick Ogilvie has done what lay in his power to put her to dishonour and infamy, "by crying out horrible and detestable words to kirk, market, and other public places." For these and other affronts she demands public satisfaction and recantation. Parties heard. Ogilvie adjudged to appear at the Kirk of Leith on Sunday, and publicly confess and acknowledge his offence and slander against Janet, and ask God's forgiveness, under pain of rebellion and horning, ... 100

December 12. (101) Archbishop of St. Andrews accuses John Winram, collector of Thirds, of interfering with his cane fowls and other casualties. Holds that these items are not included in the assumption of the third of the Archbishopric, and so do not fall to the collector or the Kirk. Imperfect attendance. Postponed for appearance of parties, including the procurator, ... 101

December 14. (102) Inconvenience and risk from the passing of people between Leith and Edinburgh. All licenses to pass between the towns withdrawn. The soldiers to seize those passing and deliver them to the Provost-Marshall. Exception of licenses subsequently given on special cause shown, ... 102

December 25. (103) The prisoners taken from the Regent's force by the rebels in Edinburgh detained "in maist strait and vile prison," and otherwise maltreated, while the prisoners taken on the other side are graciously treated, although they are committing treason "against our Sovereign Lord and native Prince." Resolved to retaliate, and proclamation to send all prisoners taken by the King's forces to be sent to the Lord-Lieutenant, and in the meantime kept in close custody, ... 104

(104) Katherine Ker, Lady Fernihirst.—Complaint against her son, Sir Thomas, and his abettors, having deprived her of her whole living. At the compearance she attends with her second son. The cautioner for the eldest not appearing, denounced at the horn, . 104

December 26. (105) Henry Lord Sinclair surety that Agnes Sinclair, widow of Patrick Earl of Bothwell, shall appear, and have in the meantime no intercommuning with "William Hepburn, bastard son of James sometime Earl Bothwell," or other traitors, rebels, and notorious conspirators, ... 105

December 22. (106) Resumption of the case of the Sheriff-deputeship of Linlithgow. Stewart alleges that, in defiance of the order of Council, Livingston has not only held Courts, but, with an armed force, seized the Tolbooth of Linlithgow, holding it as a place of war, taking the Clerk of Court a prisoner. Continued, *cr.* 93, . . 105

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January 15. (107) Titles of Acts relating to the re-organisation of the Kirk. Not given at length, being printed in the Record Edition of the Acts of the Parliaments of Scotland, ... 107

(108) Form of presentation to a Vicarage or Parsonage under the Privy Seal, directed to the Archbishop, Bishop, Superintendent, or Commissioner, requiring examination on "doctrine, qualification, literature, and conversation," and if found sufficient, to "receive and admit," 108

(109) Sureties for certain persons entering in ward in certain places, 109

January 19. (110) The Regent understands that Thomas Crawford of Jordanhill obtained infeftment of feudal rights near Glasgow, including "the Bishop's Meadow." The Dean and Chapter delay the formalities of investment, on the excuse of certain claims of kindness of tenantry. Considering that there can be no such claim on the possessions in Crawford's feu-charter, "and that his services hes meritit mair speciall regarding nor otheris" [viz., the capture of Dumbarton], the Regent "desires and requires" the Dean and Chapter to pass Crawford's infeftments, engaging to see to the interests of any kindly tenants, ... 110

January 21. (111) Magistrates of Jedburgh complain that certain neighbours on their way to Leith, with packs of skins, in sober and simple manner, were seized at the Coble of Dryburgh by Robert Ker and his followers, and cast into a dungeon at Ancrum. Already charge issued to liberate. The Kerrs cited, but fail to appear. Denounced, ... 110

January 23. (112) The Commissioners of the Kirk assign, for the maintenance of the Royal establishment, certain portions out of the thirds

of the Bishoprics of St. Andrews, Moray, Aberdeen, and Dunkeld, and of the Abbeys of Arbroath and Kinloss, ... 111

(113) Special charges on, and arrangements affecting the Thirds, with the appointment of collectors, ... 112

(114) Robert Douglas, Commendator of Lincluden, cited to appear and answer for transactions with the rebels, ... 114

(115) The Minister of Glasgow applies to the Commissioners appointed by the Crown and the Assembly of the Kirk, stating that having served as minister these ten years, he is still uncertain at whose hands he shall thereafter draw his stipend. The Commissioners adjust the matter in perpetuity, and present their minute of adjustment, to be registered for execution as an Act of Council, . 114

January 30. (116) The Magistrates and community of Jedburgh, under terror and oppression from Ker of Fernihurst, who threatens their wrack, overthrow, and destruction, by hounding thieves and traitors on them. Proclamation against, with prohibition to the lieges to give aid to the Kers, ... 115

February 6. (117) The Kers have massed together a force of the rebels, along with thieves and broken men of the Borders. A muster of the fencible persons, in certain southern counties, at Jedburgh, for defence and preservation of the Burgh, ... 116

(118) General band against the Kers. Names of the subscribers, 117

February 12, 13, 20, and 21. (119) Obligations, under pledges, to assist Jedburgh against the Kers, *cr.* 116, *et seq.*, ... 118

February 22. (120) Band of allegiance and loyalty by Borderers. To aid the Wardens against England, according to the laws of the Marches. Not to supply or intercommune with the Kers and others, traitors and rebels against our Sovereign Lord, but to withstand all enemies of the Sovereignty, under the penalty of "perjurie, defamation, and tinsel of perpetual estimation and credit," 119

February 25. (121) Supplication—Corporation and citizens of Edinburgh, who have been driven from their dwellings, and are in attendance in Leith. The sufferings they have undergone, and the threats and dangers in reserve, both through general enmity and special personal revenge. Council ordains that none of the sufferers are to pay for security to themselves, either directly or through intermediation. Defaulters to be escheated, and their property to be awarded in compensation to other sufferers. Assurance that those who remain steadfast will be recompensed in the end. The property of enemies and that forfeited for connivance, to be assigned for the purpose. Proposal of an Act in the next Parliament to give effect to the arrangements. Much of the difficulty caused by the trafficking between Edinburgh and Leith. Renewed ordinance for its suppression, . 120

February 27. (122) The Lord Elphinston to give up his Castle of Kildrummy to the Regent, when required. Meanwhile not to harbour rebels or traitors there, or in his other houses. Surety for him. Inventory taken of his property and rents, ... 123

March 1. (123) Certain persons take the oath of allegiance, "under the pane of repruif, dishonesty, perjury, and defamation," . . 124

March 3. (124) Variance between the Earl of Cassillis and Kennedy of Bargany. Detrimental to the public interest, and reconciliation desirable. Both engage—the Regent being surety for the Earl—that both sides, with their followers, keep the peace with the other until

Whitsunday, and the chiefs of both appear before the Council. To submit to award, and if any points remain unadjusted, the remedy to be by course of law, ... 124

March 5. (125) Statement by Kennedy of Bargany. The Earl, with a body of retainers, had seized Allan Stewart, Commendator of Crossraguel, and imprisoned him in the Castle of Dunure. General charge issued to liberate. This ineffectual, another charge to the loyal gentry of the neighbourhood to assemble and rescue him. Kennedy seizes Dunure, which the Regent, inclining to retain, put under his authority. He fortified and held it, and since the Earl has made his peace is ready to yield it. Find that in the matter Kennedy has done good service, and be relieved of his charge, . . 126

(126) Certain Borderers directed, under penalty, to apprehend certain others and burn their houses and effects. Full power to raise fire and burn, with indemnity against any skaith or danger, . . . 127

March 17. (127) James Matheson, Master of the ship "Margaret," had freighted that ship to David Endioch of Aberdeen, to bring wines from Bordeaux. James is charged by the Admiral to bring the ship into Leith, and does so. David demands delivery in Aberdeen, which James cannot effect. The Council find that the wines where they are will bring as much to all parties as if they were carried to Aberdeen, where they might fall into the hands of the enemy. The wines to be discharged in Leith, and to be disposed of there by the parties entitled by contract, ... 128

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March 30. (128) Oath of allegiance and abjuration taken by John [Douglas], elected Archbishop of St. Andrews, ... 129

April 4. (129) Sureties that the Castle of Callander, belonging to Lord Livingston, be rendered up to the Government, if he should fail to satisfy the Regent as to his allegiance, ... 130

April 14. (130) A ship laden with provisions, belonging to a burgess of Aberdeen, has arrived off Kirkcaldy, whence it may sail for some place abroad or supply the enemy. Directions for seizure, . . . 131

(131) Much confusion in Leith, whence supplies furnished to the enemy. Persons appointed to watch the several gates, and seize persons in the act, who are to be branded on the cheek. Proof against persons not seized in the act of removal. Provisions for good military order, and suppression of private pillage and communication with the enemy. None to remain in the town who have not means of support, unless they serve a master. Ships arriving in the Firth with provisions to put into Leith, ... 131

May 6. (132) Lord Boyd and Mure of Rowallan at deadly feud. Adjustment in presence of the Regent and Council, ... 133

May 9. (133) Allan Lord Cathcart and John Shaw of Haly submit their feud to arbitration, and engage to keep the peace until August for furthering the arrangement, under pain of perjury, infamy, and loss of perpetual credit, honour, and estimation, ... 135

May 12. (134) Description of a new coin issued for support of the cost of the war, ... 135

May 13. (135) After the long troubles of the land the welcome prospect

of intervention by neighbours. Ambassadors coming from England and France respectively. Proclamation enjoining courteous usage, . 136
May 16. (136) Corporation of Annan complain that Christie Irvine molests them in the peaceable enjoyment of their lands. He appears, but they default and have to pay expenses for continuation, . . 137
May 23. (137) Robert Scott, writer, remaining in Edinburgh by desire of his master, the Lord Register, taking charge of the Books of Session and Council and other records. His conduct approved, and he is ordained to continue, and will not be called to account, ... 138
June 5. (138) Alexander Hay having served as scribe and clerk to the Council, being much occupied in other business, both foreign and domestic, resigns his clerkship. Declared to have done his duty honestly and sufficiently, ... 139
(139) John Andrew to succeed to Alexander Hay as scribe and clerk, 139
June 6. (140) The defection of the keeper of the Castle of Edinburgh [Kirkcaldy of Grange] from his allegiance, and seizing and fortifying Edinburgh in time of truce, and the mischief he has effected, plundering Glasgow and the Lennox, and citing persons to attend at Hamilton "to underly the law,"—muster of the fencible men in certain southern counties to meet the Regent at Glasgow, . . . 140
June 13. (141) The Custumar of Dundee complains that John Moncur freighted a ship laden with white fish for England, evading the customs' duty. Failing to appear, denounced, ... 141
(142) John Master of Forbes, invested with the tithes, fruits, and emoluments of certain livings pertaining to the Abbacy of Lindores, forfeited to the Crown by the treason of John Leslie, the last Abbot, complains that his dues are uplifted by the factor of the late Abbot. The factor not appearing, is denounced, ... 142
June 18. (143) As Adam Gordon of Auchindoun is besieging buildings and harassing in the Mearns, the Earl of Crawford and others appointed lieutenants, to muster the fencible men between the Tay and the North Esk, and in Kincardine. The lieutenants to lead them against the rebels, and to hold Courts of Justiciary for punishments and forfeitures. General indemnity for things done, ... 143
June 19. (144) Mischief to the trade and navigation of the Firth of Forth through the holding by the rebels of Blackness Castle. Certain merchants and mariners have undertaken to protect the navigation. Rate of charges on the property protected assigned to them. War ships to assist them. Indemnity for injuries done, . . . 144
(145) Edward Elwood, merchant in Newcastle, with a cargo of sheepskins, driven into Burntisland, where he has to pay custom. Arriving at Leith, which was his original destination, and custom demanded again,—the custom money paid at Burntisland transferred to Leith, . 145
June 20. (146) The portion of Clydesdale occupied by the rebels to be attacked with fire and sword. Morton and others appointed lieutenants for this purpose. Plenary powers both of punishment and remission. Indemnity for things done, ... 146
(147) Plunder taken by the garrison of Blackness partly hoarded there, partly in Niddry Castle. Intention to convey the latter to Edinburgh and clear the country on the way. Proclamation, those having cattle in the endangered districts to remove them, . . 147
June 21. (148) Dearth of provisions, and starvation in Edinburgh. Not desirable, though they have ill deserved, that the poor and impotent

should die of want, or the able-bodied be rendered desperate. Proclamation to them to remove themselves "to the countrie among their friends, where they can be best staikit." The lieges not to molest those leaving the town, unless they return to it, . . . 148

June 22. (149) The Regent being to march with a force against the rebels, Lord Montrose and others to be lieutenants, with full powers for attacking and harassing the enemy, holding Justiciary Courts, punishing, and pardoning, ... 149

June 27. (150) Sufferings of the City of Glasgow from the rebels. An army to go to the rescue, and while it is embodied, private feuds to be suspended, "laying aside all occasions of displeasure, grudges, or enmities"—those who join the army engaging "to keep gude and honest society, ilk ane with uther, for the furtherance of his Majesty's service." Those in the army not to foray at their own discretion, but to obey orders, ... 150

(151) Persons finding surety to underly the law for "art and part" of the murder of the King's father and the Regent, . . 151

(152) Persons submit to the Regent's will for "resett, supply, and intercommuning" with traitors and rebels, ... 152

(153) Other persons find surety to answer under both charges, . 152

July 1. (154) Proclamation that the King's troops forbear the eating and destruction of corns growing about the town of Hamilton, but withdraw their horses to the Nethertoun of Hamilton. No private foraying allowed, "with certification that they that shall be apprehended doing in the contrair they shall be hanged to the dead, without doom or law," 153

July 2. (155) The troubles of the time caused by traitors and rebels have been specially conspicuous in Clydesdale, where there has been spoiling, burning, and destruction. The Regent to send a force, so that the loyal may be distinguished from their enemies. Robert Lord Semple to command as lieutenant of the Sheriffdoms of Renfrew and Lanark. The King's banner to be raised in Clydesdale, where the rebels to be pursued with fire and sword, and whatever slaughter, mutilation, or other casualty may be inflicted on them, counted good service. Certain persons exempt from the lieutenancy, . . . 153

July 3. (156) Proclamation at the market crosses of Lanark, Hamilton, and Glasgow against intercommuning with the Hamiltons and their followers, ... 155

July 7. (157) The Regent himself to pass northwards against Gordon of Auchindoun. Muster of fencible men proclaimed in the midland counties, ... 156

July 12. (158) The troubles of the time aggravated by the inhabitants of the Canongate round Holyroodhouse holding intercourse with the traitors in Edinburgh. Proclamation to be made at the girth cross of the Canongate and elsewhere, that all the persons within the bounds, except the troops, remove themselves and do not return, under pain of confiscation of movables. Arrangement for victualling the troops, ... 156

July 30. (159) The Regent and the "noblemen of this realm," at the exhortation of the ambassadors from England and France, have consented to an abstinence from hostilities for two months, beginning this day, in the prospect of the Estates assembling and establishing a general peace. Small bodies of either party to assemble in places ad-

justed to commune. If they cannot agree, the whole to be referred to the arbitrament of the King of France and the Queen of England, and their decision to be conclusive. Nothing is to touch the King's right, and certain persons—among them the Earl of Bothwell and Hamilton of Bothwellhaugh—excluded from indemnity, "with the haill thieves and broken men, inhabitants of the Borders and Highlands." These not to be pursued during the truce for things bypast done at command of others. The Borderers, for their dealing with the English, to be amenable to the Border laws. Otherwise free intercourse and traffic established throughout the realm. The town of Edinburgh to be set in such liberty as in the Regency of Lennox, and the Castle to have no greater garrison than at that time. Other towns to be open, and "na place thereof withhaldin, fortifeit or garnist, saving the castles and fortresses that of all ancienitie, and before these troubles, has been accustomed to be fortified and guarded." People holding other men's lands, if the fruits accrue during the abstinence, are to stack and store them. Proclamation at the market crosses of the head burghs, ... 158

August 6. (160) Understood that the placks of the year 1557, along with coins recently issued, have been adulterated. None to offer or receive the placks until next Parliament, under the pain of treason. No persons possessing silver or coinable metal to convey it to the places where the counterfeits are issued, but to exchange it with the Master of the Mint. Magistrates to search for and apprehend contraveners, ... 160

August 26. (161) Feud between Lord Stewart of Uchiltree and Wallace of Craigie with convocation of their followers. Charge had been given to desist, and to appear before the Council this day. Uchiltree, with his wife who is concerned in the legal question occasioning the feud, appears, but Wallace fails. Denounced, ... 161

August 30. (162) The teind sheaves of Sauchton Hall to be gathered, and to remain unintromitted with by the Commendator of Holyroodhouse and others, pending a legal question, ... 162

September 4. (163) Ker of Kersland, with a party of one hundred or thereby in arms, plundered the lands of Craig of Neilston, carrying off certain cattle and horses, and used violence to persons. Had been charged to appear this day, but defaults. Deforced the messenger serving the citation, and assaulted the witnesses "to the effusion of their blood in great quantity, and left them for dead." Cited again on the usual denunciation, ... 162

September 5. (164) On the 25th August certain indwellers of Dundee, returning from Bartholomew Fair in peaceful manner, the Commendator of Arbroath with an armed party attacked them, taking prisoners, "with sundry their goods and geir," removing them to Arbroath, where they were held captive till each found security in 200 merks to enter themselves prisoners when required. Not content with this, the Commendator seized a boat laden with goods belonging to merchants of Dundee, on its way to Perth for the holding of St. Johnston's Fair. The owners utterly harried, the goods being the bulk of their means. Further outrages. Charge to the Commendator to give up the property seized, and appear before the Council. The injured parties appear, but the Commendator fails. Denounced, ... 163

September 13. (165) Duncan Weir complains that William Tweedie pretends to have a gift of his estate forfeited in a conviction for forgery. Certain goods enumerated as having been forcibly seized, although there had been a judicial decision that the *crimen falsi* had not been incurred, and the estate was not escheated. William Tweedie, one of the defenders, appears and claims the escheat. The matter referred to the Court of Session, ... 164

(166) Resumption of the question, Ker of Kersland, 4th September. Accompanied by Hugh Dunlop, who in the matter of the violence and plunder charged, alleges it to have been a poinding and apprising according to law. Order to deliver up the goods, on receipt of a sum due, *cr.* 163, ... 166

September 16. (167) The Corporation of Linlithgow to pay to Captain Andrew Lambey for the cost of twenty-four men-at-arms protecting the Palace of Linlithgow. Also they are "to burde and loft" the steeple of Linlithgow. Authority to tax the inhabitants of the town for payment, ... 166

October 3. (168) Manifesto by the Barons, Gentlemen, and other professors of Christ's evangel, convened in Edinburgh, against the cruelties exercised against "the true Christians" in various parts of Europe, and the action of the Council of Trent. Proclamation that the professors of the evangel of all the Reformed Kirks within the Realm send representatives to Edinburgh, or wherever the Regent may be on the 20th of October, "to consult, advise, and deliberate upon such matters and overtures as may be proponed to my Lord Regent's Grace and our Sovereign Lord's Privy Council," tending to protection and resistance, and as to such things "as may advance God's glory and true religion." The Commissioners, however they may have been disobedient, are to have safe conduct to come and go, and to have free speech and vote in the Convention. Any requiring particular licenses or assurances to obtain them on request, ... 168

October 4. (169) Captain Moncur, Alexander Paterson burgess of Dundee, and others their followers, had lately returned from military service in Denmark, "under wages to the town of London in England." The captain had negotiated in Dundee for a sum of money to pay the wages of the followers, who are destitute. Asserts that Paterson received the money, but did not convey it to him, whereby he is "halden in his preson." Paterson charged to appear before the Council, bringing with him the money. The sum produced and delivered to the captain's wife, ... 169

REGENCY OF MORTON.

November 24. (170) The Estates and others entered in deliberation as to the state of the Realm, destitute of a Governor by the death of the Earl of Mar. Reference to proceedings, as printed in Record edition of the Statutes, ... 171

November 25. (171) Archibald Douglas, in ward in the Castle of Stirling, to be tried for his offences, ... 171

December 9. (172) By the late troubles the bridle has been let loose to the wicked, and the peaceable and good subjects have been spoiled and oppressed. To enable the Regent to take the field for the

advancement of the King's authority, a general muster of fencible men proclaimed, ... 171
December 16. (173) The Earl of Cassillis Bailie of Carrick, and Campbell of Loudon Sheriff of Ayr, have failed in payment of crown feu-duties. They were charged to cease from holding Bailie and Sheriff-Courts respectively, and disobeyed. Others indebted to the Crown. All to appear before the Regent and Council, ... 172
December 21. (174) The efforts of previous Regents and their loyal followers to free Edinburgh from its oppressors. Risk of troubles on the expiry of the Abstinence. The inhabitants who remained in the town during the troubles not to be molested, ... 172
December 26. (175) Persons connected with North Berwick to find surety to ward themselves in the town of Dumbarton for their concern in the escape of a prisoner, ... 173
December 31. (176) John Carkettill of Marcle has license to come out of the Castle of Edinburgh for eight days, that he may arrange his affairs, ... 174

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January 8. (177) Sir James Gilbert and Robert Balfour have received a royal pardon and restoration to their possessions. They have given confession of their faith, are to continue in the true religion, and maintain the true preachers against all who maintain the decrees of the Council of Trent. Abjure all that they have done to the contrary since the Coronation. Find sureties, ... 174
January 12. (178) William Hoppringle, failing to appear on charges, denounced, ... 175
January 14. (179) Ker of Woodhead finds security for his loyalty, and for his House of Ancrum being available as a refuge for loyal subjects, but not for others, ... 175
January 20. (180) Many enormities in "the office of arms." Insufficient persons and others who have forfeited the right have borne and displayed arms. Heralds, Macers, Pursuivants, and Messengers all to appear before the Lyon King, bringing admissions, instructions, and minutes, to the effect that those worthy receive new credentials, and the unfit be deprived. Roll of those selected to be affixed to the Tolbooth of Edinburgh, and otherwise published, ... 176
January 24. (181) Captain Thomas Crawfurd and others lament that, from non-payment, they and their companies have been impeded in their service. Unwilling to press further than necessity compels. To acquit one half if the other be secured for payment of their debts incurred in the service. This "gentle and honest offer" accepted in good part, ... 176
January 26. (182) Elliot of Horsliehill finds surety for his loyalty, and his house being available to loyal subjects and not to others, . . 177
January 27. (183) The recent troubles. Oppression and sufferings of the poor people. The Regent to take the fields to establish order. Proclamation—a general muster of the fencible men of certain midland counties at Brechin, ... 177
January 28. (184) Teviotdale men enter for themselves and as pledges for others to be loyal subjects. To relieve the Wardens present and to

come from liabilities to the Wardens on the English side, according to the laws of the Marches. Not to intercommune with Ker sometime of Fernihirst, and other traitors. Penalty of being held as traitors and infidels perpetually, ... 179

(185) Order and conditions concerning the keeping of the King in Stirling Castle by Erskine of Gogar, who has advised with the friends of the house of Erskine. Precautions as to persons received into the Castle. Earl with only two servants; barons with one gentlemen, "single and alane." George Buchanan and Peter Young to be the pedagogues, ... 181

January 30. (186) Lady Stanehouse had, under the direction of the Regent Lennox, as an obedient subject, rendered up her house of Blair. Robert Erskine has continued in possession, resisting a charge to remove. Not appearing on citation, denounced, ... 182

(187) The Earl of Cassillis and Kennedy of Bargany, for themselves and their followers, each undertake that the other shall be free from all molestation from his side, "in the law or by the law," down to the 1st of April, ... 182

(188) David Henderson, indweller in Dundee, ejected from "his kindly steading called the Free Lands of Aberbrothie," by David Ogilvie of Auchtiralyth and his followers. Asserted that he had no better justification but the denunciation against Dundee by Queen Mary. Ogilvie not appearing, denounced, ... 183

(189) James Bruce and others find surety that they shall not repair to the Castle of Blackness, or have intelligence with its inmates, 183

January 31. (190) John Gilchrist states himself to have been invested in certain land rights by John Hamilton when he was Abbot of Paisley. The charter confirmed under the Great Seal. Lord Semple claiming right as donator to the Abbacy, has given a charter of the said lands to his own grandson. The Council find that the Semples cannot be invested unless they can reduce Gilchrist's title, and orders to the keepers of the seals accordingly, ... 184

(191) John Cunyngham of Drumquhassail being chosen Captain of the Castle of Dumbarton, gives assurance of loyal duty in defence of the works, detention of prisoners brought to them, and the like, . 185

February 3. (192) Captain Alexander Ramsay being disponee of the estate of James Arrot, Lyndsay of Vane becomes surety that he is to hold for the children of Arrot, ... 185

February 8. (193) Archibald Aitken demands warrandice against Alexander Forrester for certain chalders and bolls of meal. Forrester "denied the haill points." Admitted to Archibald's probation, . 186

February 10. (194) Hamilton of Kincavill having received the King's pardon and rehabilitation for treason, lese-majesty, and other crimes, he is to stand by the Kirk against the Council of Trent, and to be a true and obedient subject to the King and his Regent, . . . 186

February 14. (195) Cautionaries to remove out of Edinburgh, and to abstain from intercommuning with the King's enemies, . . . 187

February 17. (196) Complaint.—John Lovell of Ballumby complaining of attacks and outrages on him and his people by the Master of Gray and his followers, who came from the Fortress of Bruchty calling themselves the servants of the Prince of Condé and the Duke of Savoy, so that he could not use his fishings in the Firth of Tay. Had complained to the Regent Murray, and has wasted his substance in nine

years' litigation before the Session. Had obtained warrants for entry in possession of his fishings, and for the concurrence of all the lieges in furtherance. Had also the concurrence of the Regent's own guard, specially commanded to that effect. Still the Master of Gray drove him out of the fishings, attacking his people and wounding himself. The Master and his abettors failing to appear, denounced, ... 189

(197) The Custumar of Edinburgh represents that Bute Pursuivant and a messenger searched the ship "Black Lyon" at Burntisland for contraband goods. Removed certain goods to a place of security, when they were removed by persons pretending to be searcher and custumar. Restitution demanded. The persons charged not appearing, denounced, ... 190

February 18. (198) Barbara Hay and William Forbes, her spouse, for his interest, charge the Master of Errol with deforcing a Sheriff-officer in his duty, and holding him captive in irons. Defence that the officer would show no warrant, but only a copy. Answered, the warrant itself showed to servants at the gate of Slanes. Continued for evidence, ... 191

(199) Surety, John Somerville not to have communing with the rebels, ... 191

February 20. (200) Alexander Newton having taken prisoner Thomas Harvey, advocate, is induced to let him under bond to Stewart of Rosyth, who engages to "enter" or restore him to Newton when required. Restoration demanded in presence of a notary. A thousand merks damages demanded, the more necessary that Newton has wasted his substance in the defence of the Regency. Stewart not appearing, decree against him for the damages. Denunciation and warrant to poind, distrain, and make penny of his effects, . . 192

February 23. (201) Pacification of Perth. The Chancellor and other officers of the Crown on the one part; and on the other the Earl of Huntly, and Hamilton Commendator of Arbroath for himself, and as authorised for Lord Claud Hamilton and all others depending on the Duke of Chatelherault and the house of Hamilton. Review of the calamities. The Queen of England, nearest Princess in the world to the King, both in blood and habitation, having expressed her earnestness in the object through her ambassador Killigrew—Conditions. The profession of the Confession of Faith and the true religion as established by Parliament against all enemies, and especially those who have bound themselves to the decrees of the Council of Trent, called injuriously "The Holy League." Admission that all things done on any other authority but that of the King, unlawful. An Act of Parliament to be passed for the punishment of contraveners or lapsers. Persons dispossessed during the troubles to be reinvested in their houses and goods. The house of Spynie to be rendered. The Master of Forbes and others to be set at liberty, and bonds for ransoms discharged. Two commissions to adjust restoration of all things, as far as practicable, to the old condition;—the one for the country north of the Tay, to sit at Perth; the other for the south, to sit at Edinburgh. To decide all cases within a year, and cases decided by them not to be opened up. Huntly and the Hamiltons to break up their forces, so that they may return to their dwellings. At the request of the Queen of England's ambassador, they are to participate at the

Regent's discretion in the obligations incurred by private sureties for the allegiance of any who have been rebels. Accorded on full consideration for the security of the persons now returning to the Sovereign's allegiance—that by Act of Parliament all dooms of forfeiture as well in Parliament as in the courts of law, with all hornings and other execution against—here follows a list of names—for acts of treason or the other crimes in processes of treason, to be void and null. The article extended to others besides those named. Escheats unexecuted to remain with the original owners of the property. The escheats completed before the Abstinence at the end of July to remain with the donators. Further, by Act of Parliament all persons returning to their allegiance, who, by forfeitures or decreets of the Privy Council or Session, since the 15th June 1567, have been dispossessed of lands or other rights for crimes committed in their cause, are to be re-instated. Procedure of enforcement and repossession. The crimes of incest, witchcraft, and theft are excepted from the generality of the indemnity, and the murderers of the Regents Murray and Lennox personally. These matters too high for the Regent to remit, but if the applicants for remission should intercede with the Queen of England, whatsoever she may recommend, the Regent, with advice of Parliament, "for the weill of our Sovereign Lord and universal quietness of the haill realm," shall fulfil. The Act of Parliament to be as effective as remission under the Great Seal, but the Seal to be added if desired. Remissions sanctioned for crimes preceding 15th June 1567—the murder of the King and all other murders, fire-raising, theft, reset of theft, incest, and witchcraft excepted. Arrangement for judicial review of civil wrongs inflicted judicially during the troubles. On the question of the property of the King's subjects that may have been taken from them by persons now returning to their allegiance, in the course of the contest, the advice of the Queen of England to rule. Rents of the lands of Pittendrich and thirds of Duffus, seized by Huntly, being part of the domains of the Crown, to be restored. The question of interference with the Thirds of benefices to be adjusted with the Kirk. All comprehended under the Pacification to be fairly admitted to its benefits, and things done during the troubles in the common cause of the doers, are not to be counted as deadly feud in judgment, nor to be counted as a legal exception to the competency of a judge or witness. Arrangement for benefit of the heirs of those who, properly comprehended under this Pacification, have died. A list of "captainis of men of weare," who with "the memberis of their companeis," as also the "suddartis and men of weare whilkis servit under their charges," are comprehended under the Pacification for things committed during the troubles and before the Abstinence. The conditions may be further extended, if this be necessary, for the security both in person and property of those coming to the King's obedience, and the conditions are to be interpreted to this effect, and to save them from whatsoever dangers or calumny that anyways may turn to their hurt or prejudice. The benefits not to extend to persons furth of Scotland, or to those excepted from the first Abstinence. Solemnities of ratification in presence of the English ambassadors. Commission under the Great Seal delivered to the Earl of Huntly, and to the Commendator of Arbroath, who promises on his honour that his brother Lord Claud shall sign.

No hornings for Thirds of benefices executed during the troubles against those returning to obedience to be available, the Pacification being a relaxation; but not to affect charges on new decrees, . . . 193

February 25. (202) Question as to delivery and price of meal. Several parties and witnesses. Question continued. Citing of further witnesses under pain of horning, ... 200

February 27. (203) The parties to the Pacification of Perth as above. After their names an abstract of the conditions as set forth in full in the minutes of Pacification. The King, with the advice of the Regent and Council, finds that their duty has been sufficiently done by his Commissioners on the occasion, and allows and approves on all points. Therefore proclamation directed at the market crosses of the head burghs and other places needful, ... 201

(204) For the advancement of the King's authority and service, and common weal and quietness of the realm, the Parliaments now running "to begin and of new to be fensit," as on 24th April. Proclamation to be made accordingly, ... 204

March 1. (205) George Balfour Prior of Charterhouse, and Gilbert Balfour of Westray, sureties that their brother, now pledge in the Castle of Dumbarton, re-enter in ward there if required, ... 204

(206) Surety found by John and Patrick Moscrop not to reset, supply, or intercommune with the rebels and traitors in the Castle of Edinburgh, or Ker of Fernyhurst, ... 204

(207) Widow Acheson charges Stevin Urde, servant to Heriot of Trabroun, with assailing and mutilating her. Heriot and his servant appear along with her before the Council. The assault denied. A day fixed for probation, ... 205

March 8. (208) Surety that Robert Kirkcaldy "sometime porter of the Castle of Edinburgh," depart and remain in Fifeshire. Not to hold intelligence with the Castle, ... 205

March 9. (209) Sir James Stirling of Keir surety for Stevin Wilson, Vicar of Kirkcaldy, not holding intelligence with the Castle, ... 206

March 10. (210) Sir James Stirling of Keir and Bruce of Airth sureties for the loyalty of William Fleming, Commendator of Whithern, . 206

March 12. (211) Proclamation against persons travelling to and from Scotland conveying treasonable letters and messages. No skippers are to carry forth passengers without special license from the Regent, or to land passengers from abroad without presenting them and their letters before the Regent. Penalty, confiscation of vessels and moveables, . 206

(212) James Lauder, Dean of Restalrig, held prisoner by his father Lauder of the Bass, in his place of Beill. Both parties appearing before the Council—charge to liberate, ... 207

(213) John Rutherfurd, Provost of St. Salvator's College in St. Andrews, states that he presented James Fiddes, a poor student in the College, to a chaplainry of St. John the Evangelist, to be a support to him in clothes and books. The presentation had fallen to him in terms of the foundation, but John Winrame, superintendent of Fife, asserts that the presentation belongs to the Abbot of Lindores, and got his cousin Robert Wilkie presented, with collation and institution; all in prejudice of the rights and privileges of the College and of him as Provost. Asserts that the Council under the Regent Mar found for his claim. Winrame not appearing, the Council found in favour of Rutherfurd, ... 208

(214) James Aikman, apparent heir to the deceased Walter Aikman, asked if he will enter as heir, and answers that he would not till further advised. Consents to a settlement for the benefit of certain relations, ... 209

March 14. (215) John Hay of Tallo gives his allegiance to the King, finding surety, ... 209

March 20. (216) John Carmichael finds surety for his service in the office of Warden of the Mint, ... 209

1573.

April 3. (217) The realm damnified and harmed through certain vagabond, idle, and counterfeit people of divers nations, falsely named Egyptians, living by "stowth" and other unlawful means—long tolerated through negligence—greater inconvenience if a quick remedy not had. Proclamation that either they leave Scotland, or settle down in dwelling-places at crafts. On failure, to be treated as thieves, and conveyed to the prison of the nighest burgh. To be detained eight days, and if they do not find surety, to be scourged through the town or parish, and so to be imprisoned and scourged from parish to parish until they be utterly removed forth of the realm, ... 210

April 5. (218) For gabions for the artillery craved of the Queen of England for the siege of Edinburgh, brushwood available. The county of Edinburgh to furnish the means of carrying brushwood for the service, . 210

April 9. (219) Earl of Rothes desiring to serve some of those in the Castle in their necessity, had license to confer with them. Reported that they were willing to come "to a good end" on more tolerable conditions than at any time heretofore had been offered or accepted. Their offers considered, "and therein sundry things of great consequence are found to be now moved and craved by them within the said Castle further nor at any time before they required, and some points also of importance offerit by themselves of before now altogether omitted." All the leaders outside whom they professed to follow having given in their adherence to the King, it was not to be expected that better conditions would now be granted to those in the Castle. Their proposals so unreasonable as to be unworthy of special answer. The Earl has dealt in the matter truly and honourably, . 211

(220) Sureties for George Lord Seytoun, his son and followers, . 212

April 10. (221) Earl of Rothes surety for David Kirkcaldy, that he shall have no communing with the rebels in the Castle, . . . 212

April 11. (222) Douglas of Lochleven surety for the conduct of Forester of Garden, ... 213

(223) Inglis of Newliston surety that certain houses be rendered and delivered again to Lady Seyton and her sons, . . . 213

(224) Witnesses in the action Aitkin and Forester to be farther examined. One of them denounced for non-appearance, . . 213

April 13. (225) The goodwill and friendship of the Queen of England to the King shown not only in the preservation of his innocent life, but in her travails for the preservation of the realm and its ancient liberties. To be remembered that in the beginning of her reign, a godly peace established and still abiding. Aid to the country and religion, endangered by France. Stipulations for aid to be given by her to the Regent and the Nobility for the recovery of the

Castle. The Queen and her General to make no terms with the castle except with concurrence of the Regent and Privy Council of Scotland; nor shall they make terms with the Castle while the English forces are at hand, without the concurrence of the Queen expressed by her General. If the Castle cannot be recovered without force, and should come under the power of the English forces, the Castle, with the ordnance, munitions, royal plate, jewels, wardrobe, and household stuff, with the Records belonging to the King and Crown of Scotland, shall be delivered to the Regent within three days. England not to fortify within Scotland save by concurrence of the Regent. On the other hand, the Regent and Nobility to give their utmost power and aid in support of the English force against the Castle. The General to use his authority, within Scotland over the English subjects as though they were in Berwick. Those assaulting to have the usual spoil and captives, subject to the exceptions claimed for the Crown. Grange, Lethington, and certain others to be reserved, so as to be tried by the law of Scotland, wherein her Majesty's advice shall be used. Recompense to the families of Englishmen slain in 1570, when she made no attempt to keep any of the fortresses, or occupy a foot of ground in Scotland. More recent services. The whole realm of Scotland now in obedience, Edinburgh Castle alone excepted. Having been intrusted to the keeping of Grange for the King, yet made the means of protracting the intestine war against the King. The King's principal ordnance and munitions being within the Castle, employed against his loyal subjects. The Queen earnestly besought by the Regent for succour, which she has granted. Proclamation that none may misunderstand the Queen's friendly and favourable intention. All persons enjoined favourably to receive her forces, and give them all favour and hospitality. Any persons maltreating to be treated as abettors of the rebels in the Castle, and be put to death in example to others, ... 214

April 15. (226) Surety for Lady Stanehouse that her fortalice of Blair should be rendered to the Regent when required. In the meantime to be available as a refuge and succour to loyal subjects, but not for the resetting of rebels, ... 216

April 17. (227) At Lamerton Kirk. Accordance completed between Sir William Drury for England and Lord Ruthven Treasurer for Scotland. The general compliments for friendly intentions and good conduct repeated, and Grange's treason. The Queen being earnestly besought for succour, has sent a sufficient body of men, with artillery, munition, and arms, to act both by land and sea, and to continue in the service, and to persons slain or wounded the lands and goods of those in the Castle to be applied to this service. For losses of artillery, or otherwise by the English army, recompense to be made from what found in the Castle. In consideration of the English having to penetrate to the inward parts of Scotland, ten hostages are to be sent to remain in England. The hostages to be returned when the English force—casualties of war excepted—returns home. Meantime the hostages to be honestly entertained in Northumberland, Durham, or Yorkshire, at their reasonable expenses. The English General to take counsel with the Regent and Nobility of Scotland, both in expugnation and composition. When all finished, favourable means to be taken to expedite the English ordnance and soldiers home again, . 216

(228) The English allies. The presence of the Nobility requisite not only to accompany the English but also at the Parliament approaching, for confirmation of the Pacification and other weighty matters. Yet the Regent and Council are informed that the Earl of Glencairn and Lord Semple are at feud, arraying not only their own followers but mercenaries. Laws against private warfare without special license. Letters to be directed to charge the principals and their followers to return to their dwellings, give up their quarrel, and leave their disputes to be settled by the Council, or according to law. Glencairn and Semple to repair to the Parliament now approaching. Certifying penalties for contravention of Acts, and also, though the time and service may ill permit it, special provision for repression, . 219

(229) Bruce of Airth surety for Lady Livingston appearing before the Council, and for her conduct as a loyal subject, ... 220

April 18. (230) The Canongate of old erection a free burgh. Thomas Hunter, a free burgess, had packed certain skins for exportation and paid duty. Adam Fullarton has seized and detained them. Can get no redress in the Court of Session from insufficiency of attendance to make a quorum. The ship was ready to sail that the market might not be lost. Parties appear on citation. Adam Fullarton ordained to restore the goods, without prejudice to the action between Edinburgh and the Canongate concerning privileges, ... 220

April 24. (231) According to the Pacification at Perth, a Parliament to be held in Edinburgh on the 24th of April. Repair consequently of the Nobility and others of the Estates to Edinburgh. Proclamation that none attack or provoke others, but remain and return to their dwellings in peace, under pain of treason, *cr.* 201, ... 222

April 25. (232) Condition of the Pacification that those coming to the King's allegiance were to break up their armed force, and this generally performed. James Halkerston and Matthew Sinclair, however, and their accomplices, pirates, in the time of abstinence, seized a vessel in Burntisland, and harried the Shetland Isles, and seized the King's proper rents, carrying them to Aberdeen. They had taken a vessel belonging to Dutchmen, friends and confederates of the realm, and conveyed it to Aberdeen. The Magistrates of Aberdeen ordered to search for the offenders and bring them before the Justices in Edinburgh, or else keep them in ward until justice done on them, also to seize their ships. If the Magistrates fail to obey, to be denounced rebels, ... 222

April 27. (233) Oath taken by James [Paton] Bishop of Dunkeld, . . 223

April 30. (234) The Pacification at Perth and the judicial arrangements for giving effect to it. Understood that there is a true intention to observe the terms of pacification. The Council, with the advice of the Earl of Huntly, who is present, alter the places of meeting of the Judges. The cases arising North of the Tay to be tried not in Perth but in Edinburgh, where the advocates, scribes, and others for defence will the more easily be had. The Lord Boyd and others added to the Judges for accusations north of the Tay. Three to be a quorum, *cr.* 201, ... 224

(235) Narrative of two matters in the Pacification referred to the Queen of England. The murder of the two Regents, and the effects that had been captured by those returning to allegiance. The late Parliament could not act on these two points, not having received

the Queen's opinion. Ordains Parliament to run till August, in the hope that the opinion may be received in the meantime. Legal proceedings suspended, ... 225

May 4. (236) Dame Jane Hamilton states return for certain "great sums" paid by her to the Earl of Eglinton. Had infeft her and her heirs in the lands of Eastwood and others. The Earl has, however, levied fines on the tenants for not giving feudal service, and has cited them to his Courts. She obtained warrant for his appearance before the Council. Not appearing, he was charged, but brought a relaxation of the horne, and charges Dame Jane to appear. Represented for her that the proper form was for her to renew the charge, and so found, . 227

May 5. (237) The ministers' stipends from the Thirds. Complaints by General Assemblies of default. Following the advice of the Commissioners of the Kirk, thought fit that the ministers be planted throughout the country, and stipends appointed commodious to their abodes. Has appointed lists of ministers, and their charges to be made accordingly, and assignations to be made for payment of the stipends, the whole to be presented to the General Assembly or Commissioners, so as to take full effect for the crop of 1573. May be confusion by raising the Whitsunday rents, and hence they are to remain in the hands of those indebted. To be arrested in the meantime, and any who fail to observe the arrestment, will have to make payment to the collectors, 227

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June 25. (259) Alexander Hume of North Berwick Mains complains that having on his way home from Edinburgh met and seized Ralph Swynno, a notorious thief, both in England and Scotland, who had reft from Hume himself sixteen kyne and £30. Passing homewards with his captive, certain Seytons attacked him and rescued the prisoner. The Seytons ordered to restore the prisoner to Hume, . . . 244

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June 29. (262) Jewels that had belonged to the King's mother when she was Queen are dispersed. Parliamentary authority to pursue the resetters or intromitters with them. Statement of those in possession of Mary Fleming, widow of Maitland, younger of Lethington. Charged to appear and present them. Appears, but does not present them. Charged to deliver them within six days on pain of rebellion, 246

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(267) Certain Ellots or Elliots appear to give an account of their title to certain lands occupied by them, ... 249

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(271) Revision of roll of rents and feudal dues belonging to the Crown. To include rental and tenantries of Earldom of Bothwell, ... 252

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July 16. (274) Crown presentation to William Drummond, son to the Laird of Carnock, to the Chanonry of the Chapel-Royal at Stirling, called the parsonage and vicarage of Alloway. Found inconvenient to endeavour to find the Commissioner or Superintendent of the bounds, being then a student at St. Andrews. He got his brother to take his presentation to David Lindsay, commissioner of the Kirk where the benefice lies, but he would not acknowledge the presentation, having indeed himself disposed of the benefice. Then passed himself to offer his presentation, but collation refused. The Council find Lindsay's assumption of the power of disposal to be an infringement on the rights of the Crown, ... 254

(275) Captain John Adamson having levied a hundred men for the Protestant cause in Flanders and Zealand, comes under certain obligations against rapacity and oppression. Not to bring his men within sixteen miles of Stirling Castle. Not to serve with Papists against Protestants, ... 256

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(278) The special court established for the trial of cases against the Pacification. Difficulties in the way. The Court to arrange a form of procedure, and appoint a clerk. Arrangements for expediting business, ... 258

August 1. (279) The raid against the thieves on the Border to be held as fixed for the 20th. Since it is understood that on like occasions the thieves got their stolen property removed to the custody of accomplices in the inland districts; proclamation against the practice. The accessories to be held as principals, and as an inducement informers to get a third, ... 259

August 4. (280) Clearance of a ship by Adam Fullarton professing to act in his office of searchery, which he holds of the Provost, Baillies, and Council of Edinburgh. Cited before the Council. Pleads privilege and no obligation to answer. The plea repelled, . . 260

August 10. (281) How after the nation was blessed with the knowledge of the Evangel, the ministers were long unprovided for, until the Queen-mother to the King came from France, when the arrangement was made for the application of the Fourths of benefices, and if that were not sufficient, of the Thirds. The Act of Parliament in the beginning of the King's reign to secure them a preference (Act. Parl. Scot. iii. 37). The Regent and Council take in serious consideration the abuses in the collection, so that the stipend of the minister insufficient in places where the Third is best paid. Right that a sufficiency of

qualified and learned ministers should be planted over the whole realm. The name and numbers of the parishes have been collected, and the existing ministers distributed over them until it shall please God to raise up more learned persons suited to the work, who are to be planted by the Archbishops, Bishops, Superintendents, and Commissioners in suitable places, with competent stipends. The stipends to be assigned to the ministers, and to be allocated on the most accessible and convenient benefices. The allocation being certified and registered, on warrant of the Court of Session, every minister and reader will have power to enforce payment by poinding, arrestment, and sequestration. If a defence be raised by any person claiming a special title by disposition, pension, or otherwise, an assignation shall be made out of some other part of the benefice, or otherwise in the most commodious manner. The ministry of the Kirk having great confidence in the sufficiency of the arrangement, agree to the appointment of a collector-general for realising the Sovereign's surplus. If the arrangement prove ineffective, or is thought so by the ministers, they may revert to the powers of the Act of Parliament. Before the Reformation, many kirks, lands, and estates belonging to the friars, "of whatsomever order, kind, or hew, have been let at rents below their value, or absolutely gifted on the importunate sute of unworthy persons." Other ecclesiastical estates are in like position. The general collector to make search and inquiry into all these disposals. Provision for protecting the stipend where qualified ministers not yet placed, . 261

August 17. (282) Regulations for the exportation of salt—the inhabitants of Scotland being in the first place supplied at a reasonable rate, . 264

(283) Surety for owners of Pans of Kirkcaldy conforming to the arrangement, ... 265

(284) The like for the Pans of Dysart and Wester Wemyss, . 265

August 18. (285) The Provost and community of Jedburgh complain that Sir Thomas Ker of Phernyherst, with the assistance of declared rebels, traitors, and inobedient subjects, menaces the overthrow and destruction of Jedburgh and other parts of Roxburghshire by fire, sword, and all kind of cruelty, employing a band of hired soldiers in his project. Cessfurd has a counter statement of outrages, but all that he founds on was done in the Sovereign's service for resisting and suppressing his wicked enterprise. Application for annulling any procedure held by Cessfurd under such plea. Narratives of particulars of outrages and pillages on both sides. Though the complainers might be justified in resisting and repressing the enterprises of traitors and rebels, they were not justified in breaking the gates and doors of their adversary's dwelling, ... 266

(286) Ogilvy of Boyne surety for James Irvine, brother of the Laird of Drum, in good behaviour and abstinence from any act against the Christian religion as publicly preached and established, . 271

(287) Persons charged to enter and be pledges for certain Borderers. The names in the Index of Names excluded by abridgment. Detail of specialities as to certain cases. Hamilton of Pardovan and his followers not to invade James Bog of Innerwick, . . 273

August 20. (288) Dispute between Lord Ruthven and Bruce of Clackmannan about teinds. Great bloodshed, deadly feud, and other inconveniences attending, and the country disquieted. Charge to both parties not to make convocations, assemblies, or gatherings, . . 273

August 25. (289) Ayton Burn. The Regent there for daunting the thieves and disordered people inhabiting the Borders. All bonds for release of prisoners taken by thieves and broken men, and all engagement for ransoms, to be illegal and null, ... 274

August 26. (290) Sureties being received for the disorderly Borderers, and the harvest at hand, the attenders of the muster on the Borders have license to pass home, ... 274

August 29. (291) Adjusted by the Wardens on both sides of the Border in presence of the Regent, as to certain captives taken from either country by disorderly persons of the other, contrary to the peace. They are to be set at liberty without ransom or any other claim—all obligations to the contrary null, ... 275

September 2. (292) Reference to Act of the first year of the King (c. 27, iii. 31) "anent thift and resett of thift, takin of the thieves or bands of ransoms for the punishment of the same." Provision that all apprehenders of Border thieves bring them to Edinburgh for trial, "if their takers having power justify them not to the death themselves." The Act ineffective from the troubles in the inward part of the realm. These being now over, proclamation for rigorous enforcement, ... 275

September 12. (293) George Monro states that he has Crown presentation to the Chancellary of Ross. Charged the tenants and holders of teind sheaves for payment. Meanwhile Rory Mackenzie, brother of Kintail, has taken possession of the steeple of the Chanonry with a band of ruffians, whence he oppresses the country and suppresses the preaching of the Word. Has taken possession of the teinds. Cited, but does not appear, ... 276

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September 19. (296) State of the Sandgate of Ayr—vennels and streets covered with sand, and loss and ruin to poor people. The fault of the Magistrates, who might have prevented all by a proper use of the common good. Magistrates called to appear and answer for the application of the common good. Failing to appear, horning and escheat, ... 278

September 21. (297) Sir William Scott of Balweary having engaged to produce Hobbe Elliot, son of James Elliot of the Park, Sir William charges Kerr of Cessfurd and others, as bound to him in relief, they having engaged to present Hob to him in his house of Balweary. Pleaded on their part that the engagement was conditional on Hob remaining in custody, but he is freed and at liberty. The Council find Cessfurd and his co-obligants liable, ... 279

September 24. (298) Gavin Elliot of Balyelly and his wife complain that having bought the six merk land of Chamberlane Newton, in Roxburghshire, on entering in possession their servants were attacked and wounded by Walter and John Scott, the sons of the proprietress of the other half of the lands. The case adjourned on account of her health, ... 280

September 26. (299) Great pains having been taking for reducing the Borderers to obedience, found expedient that some of them be put in

charge of well-affected noblemen and gentlemen of the Incountry who hold them as "pleges." The holder to fulfil the undertaking under penalties, ... 282

September 30. (300) Janet Dalrymple and her husband had litigation in the Court of Session as dispossessed of their lands of Cameragane, and got several decrees in their favour against William Earl of Cassillis Baillie Principal of Carrick, and his Depute William Kennedy. They were denounced rebels at the horn, but have obdurately remained so for four years. The Earl of Cassillis not appearing, to be warded in Blackness, ... 282

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October 8. (302) Thirty-two oxen, five score sheep, and a horse on the lands occupied by tenants of the Crown in Ballencrief, having been poinded for payment of their duties, Patrick Hepburne in Tranent, with a company of followers, swept them away, and appropriated them. Charged to restore, and not appearing on citation again charged, and on failure to be denounced, ... 285

October 13. (303) John Bishop of the Isles required to appear before the Council, and to produce a rental of the fruits of the Bishopric of the Isles, the Abbey of Icolmkill, and the Priory of Ardchattan. He is to consent to an adjustment for the payment of the Thirds, or to "demit" the bishopric. He agrees to render the names of the kirks in his diocese, and of the possessors of them, with the rentals so far as he can, ... 286

(304) The obligation of the pan masters to sell salt to natives of Scotland at eight shillings per boll, with liberty to export the surplus. The masters at Culross, Kinneil, and other places have not conformed, but charge higher. Penalty on purchasers paying more than the eight shillings, ... 286

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(306) John Henryson, master of the Grammar School within the Abbey of Dunfermline, states that he and his predecessors had been teachers of youth in letters and doctrine, being appointed teacher on the foundation of the Abbey, and now David Ferguson, minister of Dunfermline, alleging the authority of the Archbishop of St. Andrews, has charged him to desist under pain of excommunication. He could only be deposed as an enemy to the established religion, but he is faithful to it. Henderson appears, but neither the Archbishop nor Ferguson. They are discharged from all proceeding towards excommunication, ... 288

October 15. (307) Resumption of the charge Elliot of Balyelly, as to his share of the lands of Chamberlane Newton, and the assault. Sir

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(333) It being understood that the community of Forres are to elect as their Magistrates Dunbar of Cumnock and other disloyal persons, they are charged by authority of the Council to elect the loyal persons in a list sent to them. The Tolbooth door held by armed men, and the King's enemies elected. Particulars of violences committed. The loyal opposition meet in a private house and elect. Decision of the Council that those so elected are to be the Magistrates, . . 314

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February 19. (354) Ninian Johnston had obtained from his brother "the right, kindness, interest, and possession" of the one merk land of Over Wanlopes, and certain steadings possessed by their father. The brother now attempts to draw him out of them, and not appearing on citation, is charged, ... 336
February 22. (355) Proclamation against eating flesh in Lent—to hold until the 11th of April, ... 337
March 17. (356) John Master of Forbes had been taken captive in the civil war by Gordon of Auchindoun, and detained in the Castle of Spynie till the Pacification, and then released only on finding surety for £705. Legal proceedings threatened against him and the sureties by the Earl of Huntly. Pleading that the obligation is illegal, the Master having been taken while fighting in the cause of the Sovereign. The Earl not appearing, the bond declared to be null, ... 338
(357) Dame Jane Kennedy, wife of Robert Lord Stewart, Feuar of Orkney and Zetland, states that he having been charged to render the fortalice of Westraw and certain effects, did so as quickly as the abandonment could be effected. Charges to the contrary are false and malicious. Her husband unable personally to appear, as he "may na ways safely, for sundry occasions notourly known, take journey by land, swa that gif by sea he shall take voyage, by storms, contrary winds, and other accidents he may be stopped." Opportunity given to prove the fact that the fortress and the other property were duly rendered, ... 340
(358) Archibald Wauchope in Duddingston accuses one indebted to him of an attempt to remove effects beyond the reach of execution by the Court of Session, and accuses Edmonston of that Ilk of abetting him by deforcing officers. Evidence authorised, ... 341
(359) James Brown in Logan represents that the Crounar (or Coroner) and the Sheriff-depute of Peebles have erroneously treated him as surety for a Border offender, and seized his effects for default. The Coroner to produce the indent of surety, and the effects in the meantime restored, ... 342
(360) Gilbert Menzies of Cowly becomes bound on his return to Aberdeen to be an obedient member of the Kirk, frequenting sermons and participating in the Sacraments, ... 343
March 19. (361) Patrick Walter, who had been master-stabler and household man to the Earl of Huntly during the troubles, is charged be-

fore the Magistrates of Edinburgh for certain offences, and pleads the "Pacification." Found not to be included in the Pacification, *cr.* 201, 344

(362) Edmonstone of that Ilk charged with deforcement of a messenger. Evidence to be taken, ... 345

March 20. (363) John Elphinstone, parson of Innernochty, at the horn for failure to pay his "third" of that benefice. Statement of facts, in consideration of which he is relaxed, ... 346

(364) Case of the Commendator of Dryburgh, before the committee for treating the affairs of the Kirk. Finds himself unexpectedly held liable for heavy arrears of Thirds. Discharged from liability for bygones, ... 347

(365) Before the same Committee, Sir John Stewart of Minto pleads his services and sufferings, had in the war, to maintain garrison to hold the Castle of Glasgow, and the tower of the Cathedral, and uplifted "thirds" for their maintenance. Thought it better to take the money than leave it to be taken by the enemy. Pressed by the Collector. Discharged, ... 347

(366) Case of the Commendator of Culross before the same. The rentals for the calculation of the Thirds rendered too rigorously, butter and cheese being reckoned, and then money avail added. A composition adjusted, ... 348

March 22. (367) Seton of Meldrum and others, having commission as Deputy-Sheriffs, attempt to apprehend Cheyne of Straloch and others on a charge of slaughter. They retaliate with a like charge, obtain criminal letters, imprison the accusers, and take execution out against their tenants. Alleged that this done at the season of oats-sowing, that they may be put to costs, charges, and expenses. The Council direct the Justice-Clerk to continue the matter to a more convenient season, 349

(368) William Lord Livingstone tenders allegiance. Sureties cancelled, ... 351

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March 28. (369) Surety that John Ogilvie, parson of Cowden, being in Lovane, shall return and underly order and direction concerning his profession of religion, ... 351

April 9. (370) Though the evangell has been preached for fourteen years, and all superstition and false worship abolished, yet many Kirks remain destitute, though liable for stipend. Some ministers disqualified—others non-resident. The Archbishop, Bishops, Superintendents, and Commissioners of Dioceses and Provinces, charged to find a remedy, and feed the people committed to their charge with the word of God, ... 351

April 27. (371) Alexander Dunbar, Sheriff of Elgin and Forres, not only acted as rebel in the troubles, but usurped a tyrannical jurisdiction over the territory of his Sheriffdom and the Burgh of Forres. Takes advantage of his remoteness from the centre of justice, and gathers bands of broken men, putting his creditors at defiance. Narrative of acts of violence. Arrangements for collecting testimony, and matter continued, ... 353

April 29. (372) Richard Spens had obtained a decree of the Lords of Council and Session against Patrick Lord Gray, requiring him to render up certain lands, and he was denounced in the four forms.

Puts all at defiance, and remaining at the horn goes about at his pleasure. Charged to ward himself in Dumbarton, ... 354
May 12. (373) The Pacification concluded at Perth and ratified in Parliament not to be interpreted to giving countenance and protection to the enemies of the State and true religion. Adam Gordon of Auchindoun got license to go abroad, on conditions of good conduct, which he is understood to have broken. Cited, along with certain followers, to appear before the Council. Fail to appear. The license withdrawn, *cr.* 201, ... 355
May 15. (374) Obligation on Lords and Freeholders on the Border to attend the Warden at days of Trew. William Crichton, Tutor of Sanquhar, not only failed in attendance, but as Sheriff of Dumfries held a Court at the time, and kept others from attending. Pleads exemption from attendance, but failing to prove this, is denounced, . 357
May 18. (375) Sir William Sinclair of Roslyn relaxed from obligation to ward in Stirling, ... 358
May 25. (376) Thomas Johnston of Craigaburn accuses certain Armstrongs of a raid on his premises, and reft of horses and goods, with personal violence. Cited to appear, but fail, and denounced, . . . 359
(377) Gilbert Kennedy of Balmaclenochquhen forcibly excluded from his castle and domains by certain relations. Took proceedings in the Court of Session to compel the Earl of Cassilis, as Bailie of Carrick, to eject the intruders and restore him. The Earl puts the process of the Court of Session at defiance. The Earl, failing to obey a citation to appear, is adjudged to ward himself in Blackness, . 360
May 27. (378) Beatrix Innes of Cromarty brings against William Sinclair of Dunbeith a charge of molesting her by maintaining that she is his wife. Raises proceedings before the Commissary accordingly, all being done as an excuse for his taking possession of her property. The Council decide that she is to be mistress of her property during the process before the Commissary, ... 361
(379) Three partners to the adventure of the lead mines in the Earl of Atholl's tack. Two entitled to sell, satisfying the third if they disagree. John Johnston and Margaret Craig, two of the partners, have stock in the cellars, which they are going to export, when they are interrupted by the third putting new locks on the doors. Arrangement that the two deal with two-thirds, and the third partner with the remainder, ... 362
(380) Delay in payment of the "thirds" of the Bishopric of Dunkeld, for incomes of the ministers and readers and maintenance of the Royal household, by reason of alienations made by the Bishop. He is required to warrant the payment of the Third, . . . 363
June 4. (381) The surety for presenting Adam Carlyle of Bridekirk to answer for offences. Failing to do so, penalty to be enforced, . . 364
June 9. (382) Regulations for reviving and enforcing the ordinances set forth by Sir David Lyndsay, Lord Lyon, for the conduct of officers-of-arms throughout the realm. All the officers to assemble before the Lyon and his brother Heralds, ... 365
June 17. (383) Narrates the arrangement for pledges for the good conduct of the broken men of the Border, and for their residing with persons inland. Names of pledges and persons they are to live with, who become sureties. Pledges have escaped, and consequently sureties become liable each for £2000, *cr.* 299, ... 367

(384) Douglas of Cavers, Gladstanes of Cocklaw, and others, had become sureties respectively for "all the persons inhabitants of certain defined lands and bounds," coming under obedience by pledging, as the inhabitants of Liddesdale did, when they would be permitted to pass beyond the Swyres, not to return within them again, so that true men might have been planted there. The arrangement not effectively executed, and Douglas and the others cited before the Council, where each of them is adjudged to a penalty of 5000 merks, . . . 371

(385) Johnston of that Ilk.—Forfeiture for failing to present Johnston of Graitnay, ... 373

June 14. (386) Robert Kirkwood had managed to obtain the office of Custumar for Berwick, Roxburgh, and Selkirk. Injurious to the merchants of Edinburgh and the public interest. Instance where English cloth brought to Edinburgh, and payment of custom refused in consequence of the gift. Revoked after inquiry, . . . 374

June 18. (387) For failure to pay teinds or tithes, John Shaw of Keirs denounced at the horn, yet he goes about at large, plundering and oppressing the lieges, and has specially harried and oppressed certain poor bodies in the Barony of Dalmellington. Charged to ward himself in Blackness, ... 375

June 19-24. (388) Obligations of suretyship, ... 376

June 25. (389) Two ships—one called "The Forlorn Son"—seeming to belong to Dutchmen, seized by Captain Isteid, an Englishman, and brought into Montrose. Followed thither by Herman and Cornelius Jonsoun, who satisfy the Council that they represent the ownership. The ships being unseaworthy and the cargoes perishable, to be sold, and the money consigned for ultimate proof of the parties entitled to claim, 377

July 6. (390) The Regent to make a peaceful progress in the North. Proclamation of a muster in the midland counties to attend, . . 378

July 8. (391) Roger Freman of Bristol apprehended in possession of base coin—liberated on the security of Sir Henry Killegrew, . . 379

(392) Charge against Mungo Lockhart of Cleghorne for the masterful reiving of a horse—continued, ... 379

July 10. (393) The Bishop of Moray represents that the Commendator of Aberbrothok has charged him with spoliation during the Abstinence, and cited him before the Court for cases arising out of the Pacification. Disputes and recriminations, in the course of which the Bishop is put to the horn by certain monks, "inobedient subjects for the time, and plain partakers with manifest conspirators and rebels," and is disabled from pleading the merits of his case. The court of law, being incompetent to decide questions under the Pacification, recourse had to the Council. The Bishop reponed so as to be enabled to proceed according to law, ... 380

(394) John Erskine of Dun becomes answerable that Andrew Graham, vicar of Wick, shall resign the vicarage and account for the fruits, and therefore Andrew is relaxed from the horn, . . . 381

July 13. (395) Supplication of William Ballingall, Reader of the Kirk of Inch. Has been Reader since the erection of Christ's religion within the realm—admitted by John Row and Erskine of Dun, Superintendents. Dispute as to his collecting, because it is alleged that he is not "rollit and buiket" among the rest of the Readers, and pursued with horning and arrestment. Judgment to relax him from the horn, "receive him to the peace, and give to him the wand thereof," . . 381

July 16. (396) The widow of Robert Guidlet, mariner in Kinghorn, asserts that her husband having been at the fishing at the North Isles, was murdered at Loch Strone, in the dominion of Angus Mac-Alexander of Glengary. Angus and the widow both appear. The Council ordain Angus, of his own consent, to hold a court at the next fishing, and have the question of guilt put to a jury of the merchants and mariners that happen to be present, ... 382

(397) The widow of David Air of Nether Liff brings up the question of the amount of the feudal composition due to the Treasurer for confirmation of a charter by the Commendator of Scone. Referred to "the Treasurer and Lords Componitours," . . . 383

(398) Muster of the fencible men of Lanark, Peebles, and Selkirk, to attend the Regent, ... 384

(399) In the royal domain of Fewroulie, forfeited by the treason of Ker of Fernyhurst, there is a mill, with thirlage of tenantry. Walter Turnbull, who projects the erection of another mill, prohibited, . 384

(400) Question whether a certain bond came under the laws against giving ransom money to Border thieves—continued for evidence, . 384

(401) Registration of a bond by James Cocburn and James Hamilton for £1000 payable to the Regent Morton, "for divers good deeds and sindry great pleasures and gratitudes" (marked as deleted by his order)—his name is in the Sederunt, ... 385

July 29. (402) Cuthbert Johnston ejected from certain lands, and Charles Murray put in possession by legal process. Cuthbert and his brother invade the lands, burn houses, and do other mischief. A surety liable, 386

(403) Danger of permitting unlicensed printing. No one "to imprint or sell whatsoever book, ballet, or other work," until it is authorised by the Chancellor, or other authority established for the purpose, ... 387

Aug. 2. (404) Surety that Charles Craufurd, archer of the corps in France, shall not communicate with the Queen our Sovereign Lord's mother, 388

August 9. (405) Sittings begin at Aberdeen, with a general proclamation to keep order, ... 388

August 12. (406) William Lindsay had gone to London and spent time there and in other parts of England, in doing "his utter diligence for the relief of James Matheson and Alexander Jamesoun." Arrangement for the settlement of his expenses, ... 388

August 13. (407) Application by James Murray, "only levand" or survivor of the brethren of the Convent of Monymusk. Stoppage of his pension, and he is a poor aged man with nothing else for his support. The holder of the estates to give him an allowance, ... 389

August 18. (408) "Certane injunctions to the Provost and Bailies of Aberdeen." These are chiefly in furtherance of the principles of the Reformation, and are so briefly expressed as not to admit of further abbreviation. The conclusion is an admonition to repair and uphold the house for "lipperfolks," or hospital for lepers, ... 390

August 23. (409) Forbes of Monymusk states that the Grey Friars' "place" in Aberdeen having been vacated, the Regent Mary of Guise gave him "the keeping and observing of it," with right to till the lands. Ratified by our Sovereign Lord's mother. The Magistrates, however, refuse to give him possession. All parties appearing; found that the arrangement was to endure till other order were taken, and this was done by disponing the property to the Magistrates and community

to be an hospital "for the lamit and faderless infantis." They are required to "caus rowp," or sell by auction the premises and apply the proceeds to this purpose before the departure of the Regent, or otherwise so to apply the premises themselves, ... 391

August 25. (410) The lipper-house neglected and falling to pieces, and the inmates going about among the people. Possession taken by James Leslie, burgess. He and other parties cited. Produces a tack or lease. Required to pay rent, including five years' arrears. At the end of his lease, the tenancy to be "rouped" triennially, . . 393

August 16. (411) David Stewart, Reader at Colston, says he was endowed with the manse, glebe, etc. Money allowance, but the Parson withholds. The Parson charged to conform, ... 393

August 27. (412) Nomination of curatory for Alexander Cumming of Culter annulled, ... 394

August 31. (413) General bond or obligation to loyalty and good service presented by the community of Aberdeen for registration—to resist all the King's enemies, and if they cannot be resisted, then to depart. To appoint none to office but zealous supporters of the true religion, publicly preached and established, ... 394

September 1. (414) Question of rights connected with the lead mines of Glengonar continued, ... 396

(415) Valentine to Gordon of Aberyeldy for presenting Mathew Frig. Spies sent who track him, ... 397

September 2. (416) William Kinloch had invested in certain barrels of salmon, intending to make profit, but Archibald Stewart seized them and sent them to Leith. Parties appearing and heard. Charge that the barrels be restored, ... 397

(417) Alexander Seyton denounced for not appearing, . . 398

(418) Band by the gentlemen of the North. Allegiance to his Majesty, and co-operation in repressing outrages and crimes, . . 398

September 3. (419) Though by statute none to hold office but such as are of the true religion, the prohibition evaded by omission to test it. In all burgh elections none to be chosen but those known to be orthodox, and persons elected are before admission to make oath, according to a form inserted at large in the Register, . . . 401

(420) The Corporation of Aberdeen having compounded for accession to the rebellion of the Earl of Huntly and Gordon of Auchindoun; of the composition, a thousand merks graciously remitted, and another thousand bestowed for the support of an hospital for the poor and impotent. The hospital to be built within five years. This obligation to be registered for execution, ... 402

September 4. (421) Alexander Irvine of Drum, when required, to enter Cumming of Cowtir, unless taken from him by greater force than he can resist, ... 403

September 10. (422) Holyrood House. The clerk of our Sovereign Lord's Register reported that he had taken the evidence of famous witnesses on the tithes of the King's Park at Linlithgow on land let to divers persons, as claimed by tacksmen of the tithes of the burgh of Linlithgow. Decision that the royal parks are not titheable, . 403

September 20. (423) Resumption of the case of the foreign ship brought into Montrose. The claimants are ordained to go to Montrose, and there take counsel with the Magistrates about the sale of their property. To be sold, and the price consigned to await evidence, . 404

(424) Englishmen of the city of Bristol went from an English ship lying in Loch Ranoch to the town of Ayr, where they uttered counterfeit coin. The law might have been summarily executed, but superseded at the desire of Killigrew, the English ambassador. The inquiry not satisfactory, but for the public peace the Council would stretch a point. Matter complicated by the insolence and threats of the English; they are allowed to depart on finding surety to return if wanted, ... 405

(425) Licenses of exception to the prohibition of exportation of salt. Experience teaches that these licences have been very prejudicial, the lieges having been compelled to buy salt at exorbitant and unreasonable prices. Licenses discharged, and prohibition against exportation absolute, ... 406

September 28. (426) The community of Perth vested by the King's predecessors in many gifts, and among these they are endowed with the water of Tay from Drumla to the burgh of Perth, whereon they have had an action in the Court of Session over sundry years past, undecided on account of the troubles of the times. The community of Dundee, taking the opportunity in hopes that the Perth people will abandon their privilege, have invented an extraordinary taxation, in form of a "towist," for reparation of the harbour of Dundee, and have seized the effects of citizens of Perth lying there. The works in tolerable order, and a trifle would suffice to remedy any defect. At the same time, Perth suffering from the destruction of the bridge over the Tay by an unprecedented inundation. Parties heard. The Regent being "solitary" in the absence of Council-men, the case continued. Meanwhile, the Dundee Corporation prohibited from uplifting the towist, taking only inventory of the goods, . 407

October 13. (427) Question if Lord Robert Stewart, Feuar of Orkney and Shetland, is bound to enter and re-possess Patrick Bellenden in Stenhouse in the forty penny land of St. Duthois Stook, the Bow of Stenhouse, the Bow of Gorme, with other items of landed property. Cited before the Council. Bellenden fails to appear. Protest on Lord Robert's part, ... 409

(428) The Acts against the exportation of gold and silver have been ineffective. Proclamation that the Act is to have effect. Informers against the guilty to have a fourth part of the forfeiture. Proclamation to have force until Parliament meets, . . . 410

October 23. (429) William Hay and others, tenants and portioners of the lordship of Duncanlaw, on several cross questions as to the ownership of the tithes. John Cockburn of Kirkland to pass to the ground and teind the produce, under the eyes of a friend or servant representing either of the parties, and then to stack and store all in the corn-yard of Cristell Irwing of Barro, as a place indifferent, to remain unintermitted with by any claimant until legal decision who are the owners, ... 411

(430) Captain Gilbert Young, servitor to the King of Denmark, lent to Mr. Thomas Buchanan, Commissioner or Ambassador for the King of Denmark, certain money not repaid, and has travelled to Scotland in hope of recovering. Deceived by promises, and now bound to depart, he has no means but tedious process of law for obtaining payment. Arrangements made for a settlement. 412

October 27. (431) Understood that the Corporation of Aberdeen have

appointed Stenters to stent the taxation for the composition to be paid by the town for the part taken in the troubles, and that they have shown great partiality, laying the greater part of the burden on the poor and others who were least guilty. To send their stent-roll for examination. Sent and considered. Directions to levy, leaving to parties aggrieved to complain, ... 413

October 30. (432) Lord Robert Stewart, Feuar of Orkney and Zetland, gives in bond for registration. The Queen, the King's mother, had gifted a third of the revenues of the Abbey of Holyrood House to Lord Robert's children. The Ministers and Readers of the Kirks of the Abbey are provided with stipend out of the same, which he desires to make good. Binds himself, his heirs and assignees, not to revoke the provision. Offers to appear before the Council that decree may be recorded against him and his heirs in the obligation, . . 413

October 31. (433) The pest, spreading infection landward by the departing of those infected from the places where they were bound to remain; proclamation that none attempt concealment when infected, but give information, and do not remove landward on pain of death. Barons, Landed Men, and Magistrates to landward, to keep watch and inquisition against those coming from infected places, . . 415

November 2. (434) Complaint by certain burgesses of Aberdeen as to the tax stented as a composition for the rebellious conduct of the town in aiding the Earl of Huntly. They were so far from being guilty in the matter that they did their best to thwart the abettors of the rebels, and were consequently banished from the town and despoiled of their goods—hence the protest against liability for the tax. The Council "in respect of the ancient and accustumat consuetude observed in the setting and payment of taxations within burgh" direct payment to be made in terms of the tax-roll, . . . 415

November 8. (435) Alexander Wardlaw, Parson of Balingrie, represents that on Sunday his fold in the Kirklands was broken into, and his cottar's cattle driven forth, and into a house for the purpose that they should slay each other, the cause assigned being that the cattle are impounded for the mischief they had done. Offer made to examine and make good any mischief, and to find security. Decreed that the cattle be restored on finding security, ... 416

November 9. (436) Grant by the Crown to the Corporation of Dunbar "of towist and exaction for the expense of building a haven under the toun, and by east of the Castle." Specification of the several charges of the towist or tax. Obligation to apply the proceeds to the intended object, and to account to the Exchequer, . . . 417

November 10. (437) Andrew Makky, burgess of Stirling, was standing at the barrier-post collecting the Sheriff's fees, when he was severely bitten by a dog. Meaning to chastise the dog, immediately came up a Highland piper, who attacked him with a drawn sword, so that he had to flee for his life. The piper went to Bailie Cowan, and lodged a complaint against Andrew, and the Bailie—having a grudge at him for the execution of his duty as collector of customs,—on a charge of striking the piper's dog, committed him to prison, and holding a Court, passed on him the sentence of banishment from the burgh. He obtained an order from the Council that he should be permitted to remain at his duties until further inquiry, but the Provost and Bailies declared that they would not obey it, for all that they had

seen. Parties appearing, certain judgments of the Sheriff-Court against Andrew were produced, with the statement that the banishment followed on these convictions. The Council having examined the proceedings, acquit the Magistrates, ... 418

November 16. (438) The pest has appeared in Edinburgh, Leith, and parts of Fife. The Court of Session to adjourn to the 8th of January, and the Convention of Estates, adjusted for the 25th of November, is postponed till 25th February. Other secondary arrangements, . 419

November 27. (439) The Earl of Huntly, on information of his brother Gordon of Auchindoun, intriguing in France, being warded in the centre of Galloway, desires to be elsewhere for the purpose of more effectually pursuing his projects. Sureties to be found for his warding in Galloway, or wherever the Council may appoint, . . 420

(440) Johnston of that Ilk required to enter John Johnston of Leverhay, called "Jock of Howgill," and others of his clan. He appears without entering them, making excuses held insufficient, whence he is himself warded, ... 421

(441) Complaint by the Warden against Johnston for not making entry on the day of Trew, for relief of our Sovereign Lord and the Warden, of certain bills in which they are fyled. Also complaint against him for not appearing in the Steward Court of Annandale. Other charges against Johnston. Maxwell the Warden and Johnston nominate certain Noblemen and friends "for hearing, trying, and componing of all debates, elests, displeasures, and unkindnesses" which either has against the other, ... 421

December 8. (442) The Prior of Pluscarden states that Patrick Balfour, minister of Urquhart, on the ground of certain claims on the Thirds of the Priory endowments for his stipend, with an armed force invaded the lands, "and there masterfully and in force reft, spulied, awayled, and detained the hail teinds of the corns growing thereupoun," carrying them into the lands of the Laird of Innes. The minister of Dyke, on like grounds, has followed his example. The minister of Dyke appears, and is ordained, "of his own consent," to re-deliver the effects seized, surety being found to satisfy his dues. The other minister is charged to appear, under threat of horning, . 423

December 28. (443) Prohibition had been decreed against exportation of small salt. Licenses allowed, and then these revoked. The pan-masters complain that they were induced to enter on costly works in the prospect of exporting their salt. To the effect that both the country may be served with salt at reasonable prices, and that the pan-masters and labourers be not hindered "of such commodity as God may send of their lawful labours," an arrangement made for the pans in Prestonpans, that a certain quantity of salt be delivered weekly at a fixed price, to an officer of the Crown appointed to receive it, and retail it to the furnishing of the country at 10s. a boll. None to be exported without license, ... 424

(444) The doom of banishment pronounced on John Robertson, in the Castlegate of Aberdeen, burgess, now in England, revoked. He is to find surety not to traffic in counterfeit coin, ... 426

(445) Colin Campbell of Glenurchy, having been invested by grant from the Crown in the feudal dues and casualties of certain domains in the Barony of Menzies within the Sheriffdom of Perth; obligation that he shall not use the gift of the casualty of non-entries otherwise than by the advice of the Sovereign and the Regent, . . . 426

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January 9. (446) The salt-pans of Dysart, Kirkcaldy, Borrowstowness, Culross, and Fordel brought under arrangement in conformity with those of Prestonpans, ... 427

January 25. (447) Information that the persons licensed to export salt abuse their privilege and exceed the limits of the license; also that the arrangement for serving the country at a reasonable price is not duly observed. Letters to be directed charging all concerned to conform on pain of confiscation, *cr.* 425, ... 427

January 27. (448) The foreigners who complained of the seizure of their vessels, and the removal of them to Montrose, had got decree in their favour, and partial satisfaction; but Richard Leighton, Bailie of Montrose, refuses to deliver certain barrels of ash. Charged to restore, *cr.* 389, ... 428

(449) Charge by Thomas Leyis of the West Ferry, by East Dundee, and several other persons of the district, against the son of Lovel of Ballumby. Articulate statement of a succession of outrages committed by him since "his last coming to the parts of Angus, accompanied by certain wicked persons." Continued for evidence, . . 429

February 2. (450) The tenants of the Barony of Auchincru state that Lord Claud Hamilton, Commendator of Paisley, pursued them for the tithes of Auchincru, though they had paid them to Lord Cathcart, the "tacksman," or lessee of the tithes, before the Abstinence. The matter had been in the Court of Session, whence it was removed as more appropriate to the Council, and in the meantime the Commendator sues the tenants before the Commissary of Glasgow. Dropped from failure to appear, ... 430

February 3. (451) The Corporation of Crail gifted with the towist and harbour-dues for building of a bulwark, port, and haven. Dues to be paid on ships coming from Norway laden with timber, and on other enumerated goods, ... 431

February 9. (452) The community of Jedburgh represent that the Abbey Kirk, which ought to be upheld by the Abbot of Jedburgh as Parson, is falling to decay as to the roof and timber. It is their parish church, and to make it suitable to God's service they see no better means than by repairing it with the timber of the Fratery, which is unoccupied and going to pieces. The Commendator cited as a party. Decided that the value of the materials be estimated, and that the Corporation find security for the expense of putting them to use in the restoration of the Cross Kirk, ... 431

February 12. (453) Mungo Scot, burgess of Edinburgh, becomes surety for the arrangement with the Corporation of Jedburgh, . . . 432

February 15. (454) The children of William Fowlar, burgess in Edinburgh, at the instance of James Hathowy, obtained decree against Robert Wilson for the loosing or recalling of arrestments on his property in France, apparently on the ground of sinister designs by Hathowy. The decreet requiring the recalling, deleted from the Record, ... 433

February 26. (455) Charge against Andrew Earl of Errol and others for having brought a party to threaten and coerce the tenants on the lands of Coliston. Continued for proof, ... 434

March 22. (456) Supplication by Senyeour Frances of Busso, knight. Cited to appear that he may be deprived of his pension in the Bishopric of Ross. It is all that he has to live on, and was his remuneration for twenty-six years' services. The Council, "with the advice of the persons appointed for the affairs of the Kirk," drop procedure, reserving his liability for the Third, ... 434

[Follow references to minutes not printed at length, as they are to be found in the Record edition of the Statutes.]

March 8. (457) For the cost incurred at the baptism of the King, Parliament had authorised a tax, and had charged certain Sheriffs and other local authorities with the collection. Deficient in certain districts in the north and south-west. Those charged with the collection charged with payment, having relief against the persons primarily liable, ... 436

(458) Incidental step in proceedings by Lawrence Lord Oliphant against George Earl of Caithness. Acts in the Justice-Court held at Thurso by the Earl as hereditary Justice, produced, . . . 437

March 9. (459) James Crichton of Carco represents that certain tenants of his were forcibly driven out of their holdings and held in captivity by William Crichton, tutor of Sanquhar, "of very malice and hatered conceived against them" for his, their master's cause. The accused fails to appear. Warrant to set the tenants at liberty, . . . 437

(460) Barclay of Perston and the widow of Barclay of Drummure —question of private right, ... 438

March 16. (461) John Shaw of Keiris at the horn for failure to pay certain tithes and other duties of the vicarage of Dalmellington. Warrant to the Sheriff of Ayr, and the Bailies of Kyle, Carrick, and Cunningham to apprehend him. The warrants contemptuously disregarded. The Sheriff and Bailies are charged to appear before the Council, that they may be deprived of their offices, and these vested in the Crown. The deprivation to be completed by failure to appear, . . . 438

(462) An Act of Parliament for the regulation of the manufacture and sale of salt. That ignorance may not be pleaded, citation to the pan-masters of Prestonpans, Borrowstowness, Culross, Fordell, Crummy, Kirkcaldy, Dysart, Wemyss, and Pittenweem to appear personally, or by representatives authorised in writing, that the order may be directly presented to them, and that they agree and find surety for fulfilment, ... 439

March 23. (463) The Corporation of Dundee licensed to uplift a towist or impost on all vessels and merchandice incoming or outgoing, for building and reparation of the shore, pier, and bulwark of their harbour. Auchinleck of that Ilk authorised to attend to the collecting and the faithful outlay of the funds, *cr.* 426, ... 440

(464) Blais Alves, burgess of Elgin, states that his wife being visited with deadly sickness, desired to make her testament, and he called in Alexander Winchester, minister of Elgin, to visit her for the purpose. He refused to make her testimony unless "she would make the same as he desired, and leave such legacies as he desired to be left." The minister has issued a testament in her name, subscribed by himself, without witnesses, professing to bequeath divers sums to divers persons, who are raising legal proceedings. The minister charged by the Bishop and elders to give up the testament to Alves, has refused, "quhilk is odious and against all good con-

science—especially in him that bears charge in the Kirk." Cited and appearing before the Council, the minister states that he acted by the instruction of the deceased, and was not in the practice of inserting witnesses in any testaments made by him. The Council find the whole affair "very unorderly—against the practice and procedure of this realm." The will annulled, and any payments made under it to be restored. The Bishop of Moray to cause the minister to pay the costs of procedure, or otherwise to punish the minister in such manner that his conduct be no slander to the Kirk, 440

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March 31. (465) Certain of the pan-masters have complied with the regulation as to the commerce in salt. Others have not; commerce with these prohibited until they conform, ... 442

April 24. (466) Alexander Beaton being in ward, and liberated by the desire of Donald Macangus Macallister of Glengary, surety is found for his again warding himself in Blackness when required. The bond of surety at length incorporated in the Register, . . . 443

April 25. (467) Complaint by Robert Fraser in Overtoun that he was wrongously fyled in a bill for three horses belonging to Sir George Heroun, Englishman, on declaration of Edmestoun of that Ilk. The affair remitted to a committee or jury of Border landowners, who acquit Fraser. Found that Edmestoun is bound to relieve the Warden of all responsibility in the bill, ... 445

May 3. (468) Inconvenience occasioned by several vessels in the narrows of the Firth of Forth, as at Alloa and Carron Mouth. Arrangements for their touching at Leith and clearing there, ... 446

May 6. (469) George Drummond cited to present before the Council the two daughters of the late Patrick Scot of Monye. The ladies are under his charge, but he is unable, by reason of sickness, to produce them. Testimonial of sickness by the minister of Glammis produced. George had obtained from our Sovereign Lord's mother the marriage of the son and heir of Patrick Scott, and failing him, that of any other heir-male or female. The son being dead, he claims the "marriage" of the two daughters, and is not bound to present them. The King's Advocate answers that the gift could not stop the King's demand for the exhibition of free subjects detained against their will, "because his Highness has that privilege ever to seek exhibition of any of his free subjects upon any cause moving his Majesty." All parties being cited, the ladies are minuted as present, but George Drummond is denounced for failure to appear, ... 447

(470) Proceedings by John Acheson, Master of the Mint, in which several persons are concerned in matters relating to the adventures about the mines of Wanlock and Glengonar. Several parties not having entered appearance, the matter adjourned, ... 448

May 9. (471) James Colquhoun of Garscube and his accomplices hold the fortalice and place of Rosdew, in defiance of the King's authority. To the effect that such open contempt may not be an encouragement to other acts of rebellion, resolution to take it by force. Muster for that purpose of fencible men in the south-western counties, . 448

May 12. (472) The wife of William Baillie of the Hawchis asserts that Thomas Meldrum of Eden pounced on her husband at dead of night

and carried him off captive—all to frighten him into abandonment of all action against Meldrum, especially for the right and kindness of the lands of Arnelie. On appearance before the Council, stated in retaliation that Baillie is a rebel denounced at the horn for slaughter, and has gathered round him a group of sorners, vagabonds, and other oppressors of the country, and that the apprehending him was under a warrant of the Quarter Seal. Meldrum found in the right, and Baillie to remain in custody, ... 449

(473) Ogilvie of Boyne and Mary Beton his wife register an obligation regarding the estate of Boyne, held of the Crown in tack and assedation, ... 450

May 31. (474) Lord Lindsay of the Byres tenders for registration a bond by Colin Mackenzie of Kintail, binding himself in relief to Monro of Foulis and the Sheriff of Cromarty, who have become sureties for the good conduct of his brother Rory, ... 451

(475) Additional adherents to the band by the Northland men, . 452

June 3. (476) Deadly feud between the surnames of Hoppringle and Elliot. Several of both cited. Only a few appear. The remainder and others again cited, and directed to bring with them bonds of surety, ... 453

June 5. (477) Complaint—Elliot and Proriger, Englishmen, with a ship laden with malt and wheat, opposite the Isle of May, on their way to Leith, boarded by John Aytoun, who arranges a bargain. Dispute involving question of Berwick and Dunbar measure. Parties appear, and settlement by the Council, ... 454

June 10. (478) On abolition of Papistical jurisdiction, Commissaries appointed. Difficulties from abuses. Direction that certain Commissaries be cited specially by name, that order may be taken, . . 455

July 6. (479) Certain coquet dues had been by usage paid at Edinburgh for vessels clearing from Leith. William Macartney having purchased the keeping of the coquet, has made a change. He is enjoined to keep the form and order of times bygone, ... 456

July 9. (480) Registration of bond to present Ross of Balnagown and his son, ... 457

July 26. (481) James MacGill, clerk-register, had tack and assedation of the teinds and other fruits of the Kirk of Lesmahago. On enforcing payment by letters in four forms, deforcement and contest. Accused not appearing, denounced, ... 457

(482) Lord Lyndsay of the Byres tenders for registration bond to enter and present Rory Mackenzie, ... 458

(483) The affair of the Reid Swyre exciting the Scots Borderers. Proclamation in certain Border towns against breaking the peace with England, ... 459

September 13. (484) Meeting had been held between English and Scots Commissioners on the affair of the Reid Swyre. Proclamation to keep the peace with England, ... 459

September 14. (485) Farther proclamation on account of attemptates by wicked and broken men of the Middle March, ... 460

September 30. (486) The messenger executing writs against persons charged with the hurting and mutilation of the minister of Crail attacked. Contest and bloodshed. Difficulties about finding witnesses. Order taken, and matter continued, ... 461

(487) Proclamation of muster from certain southern counties to

meet the Regent at Dumfries, against the broken men of the West March, ... 462
(488) Of proclamation for muster at Jedburgh, day postponed, . 462
(489) In several instances the lieges have not attended wappinshaws, and those attending have not been sufficiently equipped. Proclamation for better observance of the Acts, ... 463
October 1. (490) Chalmers of Gaitgirth maintains that he is owner of Trabeauch, and its tower, and has been assailed for violent dispossession by Campbells, who are cited, but fail to appear, ... 464
October 4. (491) Question between branches of the family of Hay as to judicial perambulation, ... 465
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(493) Question on proceedings against Magistrates and burgesses of Crail in the matter of the cruel hurting of the minister of Crail, . 466
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(495) Experience shows that casual attacks on the Border reivers insufficient, and the neighbourhood heavily taxed. Necessity for a permanent force, and general taxation to support it. Distribution and collection, ... 467
(496) All persons having charges against Borderers to lodge them, 469
(497) John Balfour, archer of the guard in France, free to pass thither and return, ... 469
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(502) Thomas Ker and others released from Blackness, to live on the north side of the Dee, ... 475
November 21. (503) The Border thieves hide their plunder with friends, and take refuge with them. Proclamation against assistance to them, 476
December 14. (504) Execution of justice on some of the Borderers by the Regent at Dumfries. Certain pledges for them had been delivered over to gentlemen of the Incountry. Insufficiently kept. Escapes. All receivers to be bound for their retention. Penalty £2000, . 477
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December 28. (506) Complaint by John Striveling of Easter Breky of the oppressions and wrongs committed on him by Jane Forbes, Lady Ogilvy, and her followers, by destruction of buildings and otherwise, 479

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January. (507) Gordon of Auchindoun released from Blackness on security to abide near Kirkcudbright. He and the Earl of Huntly to relieve the sureties, ... 480

January 19. (508) Warrant obtained from the Court of Session for removals from lands of Sawchy. Deforcement by James Shaw and his followers. Cited, fails to appear, ... 481
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(510) Murdo Maclane in the Isle of Mull, complains that his son and heir John Maclane has misused him by masterful reifs and oppressions. John failing to appear, denounced, ... 483
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(519) William Hoppringle, tailor and burgess in Edinburgh, and others, are creditors for sums stated, on the rents of Ettrick Forest, assigned for the sustentation of the house of the Regent Lennox. A settlement directed on penalty of distraint, ... 492
February 16. (520) Certain of his name surety for Hamilton of Sanquhair not invading or molesting Wallace of Craigie, ... 493
February 17. (521) Surety for Willie Johnston of Kirkhill and others of his name appearing before the Council, ... 494
February 18. (522) Innes of that Ilk and others of the name to do their utmost for apprehending John Innes, called the Sweit Man, Thomas Innes called the Little Ane, John Adam called Meit and Rest, and John Innes called the Noble, for the slaughter of David Mawer of the Loch, ... 494
February 23. (523) James Hering has the Provostry of Methven by presentation of Lord Methven, and should have the fruits assigned to him for his stipend, and his readers serving at the kirks. The value

reduced by assedations. The superintendent had ordained him to build the manse and repair the kirk. Ought not to be liable for the Thirds. Cannot get his title put on the Register. Order for registering, ... 495

February 25. (524) Sums bequeathed by Crichton, Provost of Dunglas, for support of the Brig of Cramond and the Magdalen Brig at Musselburgh. Have both need of mending, the one being already ruined and the other in danger. The King's Advocate demands the application of the money to the Brigs for the common well of the realm and subjects. The sums to be consigned by the holders with consent, 497

(525) The unfortunate accident at the Reid Swyre. Commission for restoration of plunder. Proclamation against all who have intromitted with or resetted to render up, ... 498

February 27. (526) More effectual enforcement of laws against incest and adultery, ... 499

February 28. (527) Earl of Argyle, Justice-General, requires a commission by the late Queen to the Earl of Atholl to be discharged—continued, ... 500

March 10. (528) Donald MacAngus of Glengarry represents that the inhabitants of the Highlands have been in use to send timber to the burghs through the lochs and rivers. Lord Fraser of Lovat impeding on Loch Ness. Order that he and all others be prohibited from interrupting, ... 500

March 12. (529) Cristal Armstrong in Barngleis accuses Arthur Graham, with a band of Scots and English, of invading his lands and assailing his people. Graham to find security against farther molestation, . 501

March 16. (530) Robert Barbour in Barglachan states that William Cunningham came to him and desired him to receive in his keeping £100. He gave an acknowledgment, and the other made off without leaving the money. Cited, but not appearing, denounced, ... 502

(531) John Macmorame, messenger, deforced and assaulted in the execution of his office, and is in fear for his life. The accused not appearing, denounced, ... 503

March 21. (532) Thomas Wood had presentation to the vicarage of St. Andrews. The superintendent refuses to collate. Cited, but does not appear. Ordained to collate, ... 503

March 23. (533) Andrew Brown appointed to the kirks of Altyre and others in the diocese of Moray, sues for non-payment of stipend. A sum adjusted and ordained to be paid, ... 504

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March 27. (534) Importation of French wines—embargo on, until the households of the King and the Regent served, ... 505

(535) The deer in Megotland and Eskdale Mure, where the Kings of Scotland were wont to have their chief pastime, decaying from irregular slaying by Scotsmen and Englishmen—proclamation against, ... 506

February 18. (536) Contract presented for registration—the King and the Regent on the one side, and Abraham Peterson, Fleming, on the other, for the working by Peterson and his assignees or partners, the gold, silver, copper, lead, and other minerals, within the bounds of Crawfurdmure, Robertmure, Henderland, and elsewhere within the

King's dominions, excepting the mines of Glengonar and Orkney, worked by George Douglas, Captain of Edinburgh Castle, and Adam Fullerton, burgess in Edinburgh, ... 506

April 1. (537) William Portarfield, George Maxwell, Neil Montgomery, Hugh Wallace, and Duncan Forbes forfeit their penalty for permitting Border pledges to escape, ... 514

(538) Decay of wildfowl. Close-time for partridges and muirfowl from 1st March to Midsummer, ... 514

(539) Revenue defrauded by varieties in packing and numbering skins. Uniformity exacted, ... 515

April 3. (540) Menzies of that Ilk claims exemption from the justiciary and lieutenandry of the Earls of Atholl, ... 515

April 4. (541) Nicol Oliverson, claiming the udal land of the island of Gairsay, in Orkney, had been compelled to take refuge in Norway forty years ago, and returned to Orkney three or four years bygone, hearing that better justice was ministered by the Regent's regiment than before. Claims his heritage. Alienated by the Feuar, Lord Robert Stewart. The Feuar to put him in possession, . . . 517

April 30. (542) James Inglis, messenger, not appearing to answer for execution of letters requiring George Maxwell of Newark to receive Thomas Fleming as tenant, denounced, ... 518

May 4. (543) Proceedings as to imprisonment of John Maclane by the Earl of Argyll, resumed. The Earl ordained, of his own consent, to present Maclane before the Council, that order may be taken, . 519

(544) Lord, and the Master of, Seyton surety for the Bishop of Dunkeld, that on his release from ward in Edinburgh he shall abide with them in Seyton House, or elsewhere, ... 521

May 7. (545) Contest—Ker, junior, of Cesfurd, with other parties, about the lands of Nether Ancrum. Violence and bloodshed. The value of the lands not sufficient to justify the absolute establishment of a right through all the difficulties; but desirous to end contention, the Council adjust a provisional arrangement, ... 522

(546) Troubles on the Borders on both sides from ignorance of the laws and loveable customs as revised by the two commissions, the one 1563, the other in 1553. Interpretations and explanations of the injunctions of the commissions, ... 523

May 9. (547) Further escape of Border pledges from the inland men in whose custody they are placed. These confessed to letting the pledges return home, and become subject to the penalty, . . 525

(548) Resumption of the case of the disputed lands of Nether Ancrum. Thomas Turnbull of Bedrule gives assurance that meanwhile the crop shall not be removed, ... 526

(549) Lord Ogilvie, with sureties, becomes bound, on release from Linlithgow, to enter himself in Glasgow, and remain there, . . 527

May 4. (550) Sums left by Robert Bishop of Orkney to build in Edinburgh a college having three schools,—one for the bairns in grammar, another for those that learn poetry and oratory, with chambers for the regents, hall, and other houses necessary, the third for the civil and canon laws. Being for the common well and policy of the realm, desirable that all be effected in the most summary order that may be. Inquiries. Some persons show that they did not interfere with the funds, but the Abbot of Kinloss is required to assign 8000 marks, . 528

(551) The masters, bursars, and scholars in St. Leonard's College

of St. Andrews, complain that having an endowment on the lands of Pennycuik, the laird is not only in arrears, but deforced officers of the law sent to levy them. Charged to ward himself in the Castle of Doune. Makes an arrangement, but does not keep it, and again deforces. Denounced, ... 529

May 16. (552) Marion Cruke complains that her husband, though at the horn, goes about as a free liege. The Magistrates of Musselburgh and other places will not give effect to the writs following on a decreet of adherence obtained by her against him. Failing to appear, denounced, ... 530

May 24. (553) Surety for Allan Balfour entering himself in Blackness, . 531

May 29. (554) Andrew Stewart, Master of Uchiltree, comes to the Regent's will for aggravated slaughter, ... 531

June 5. (555) Cathcart of Bouchtoun pursues certain M'Kies for heirships and oppressions, ... 532

June 20. (556) The Master of Rothes, Torquil Macleod, and John Acheson, master coiner, surety for entering Neil Angussone in Assynt, "as haill man and feir," 532

June 23. (557) Conflicts between the followers of Argyll and Atholl. Expediency of having a full meeting to deal with so weighty a cause, the parties being two of the chief nobles of the realm. They are charged in the meantime to keep the peace, ... 533

June 26. (558) John Nicolson, cordiner, burgess of Edinburgh, surety that John Wilson, pewterer, also burgess there, ward himself in Blackness, ... 533

(559) Rory M'Leod of the Lewis, and Torquil his son, engage not to molest those pursuing the lawful trade of fishing in the Lewis, and to exact no towist or other extortion. The other son Tormond to answer to charges, ... 534

June 27. (560) James Hamilton in Preston surety for the parties in No. 552 534

June 28. (561) Burnfields find surety to keep the peace, and especially not to molest those of the surname of Haitley. Narrative of outrages on them already committed, and of the impediments to bringing the perpetrators to justice, ... 534

June 30. (562) The goldsmiths of Edinburgh had chosen Michael Gilbert, one of their fellowship, to Deacon. For what reason they know not, he cannot be got to give his acceptance, and so they are unrepresented, and their employers, noblemen and gentlemen, cannot have their work stamped under the Act. Decision that he is to take the office for a year, but, in consideration of bad health, to have an assistant, ... 537

July 10. (563) The special assemblage to deal with Argyll and Atholl. They are to attend in peaceable manner, each with no more than threescore followers. To abstain until the 10th of December from all invasion of each other by fire and sword, or otherwise, whereby the matter may be the better and more quietly handled, to the common benefit and quietness of the whole country, *cr.* 557, ... 538

July 11. (564) Dick Graham of Netherby, Englishman, has made a raid on John Graham in Canoby. Fyled in a bill, and delivered to the Scotch Warden, the Lord Maxwell. He is ordained to have the bill sworn and obtain redress, ... 539

(565) Case of Marion Cruke and her husband resumed (Nos. 552

and 560.) The Magistrates had appeared, but, the pursuer not appearing, departed. To be warned, and the case continued, . . 540

July 12. (566) The Commendator of Jedburgh has obtained letters in the four forms, charging George Graham to remove from his ancestral lands of Canoby, held in kindly tenancy. Parties being assembled, the Council understand that the lands of Canoby were held by persons ready to attend on the Warden of the Marches at days of Trew. Inquest to be taken, and if any have been found to have been displaced, provision to be made for successors to be entered in the rental books. The present possessors not to be disturbed, . . 541

(567) Understanding great corruption and negligence to be in the Colleges of St. Andrews, the Regent had made a visitation, and with the Rector and other heads established an order for lectures in all liberal sciences. Neglected, and failure to fill vacancies. Had rejected a nominee, William Wallwod. On consultation with the Chancellor, charged to admit him, ... 542

(568) Adjustment of Lord Maxwell's salary as Warden of the West Marches, ... 543

July 17. (569) Sandilands of St. Monance charged with cruel assault on Thomas Williamson. Continued for evidence, ... 544

July 18. (570) Band for registration by Alexander Arbuthnot and Thomas Bassenden, printer, burgesses of Edinburgh. The King and the Regent have not only licensed the printing of the Bible, but have advanced the prices of certain copies, for furthering the work, out of contributions from the parish kirks. Suspended by interruptions. Obligation to expedite or return the money, ... 544

(571) The Earl of Argyll comes under obligation not to invade the Earl of Atholl. Counter obligation by Atholl, . . . 546

(572) The Earl of Argyll surety that Rory M'Leod of the Lewis appear before the Council, ... 546

July 31. (573) Charge against gentlemen of the North for not keeping "The General Band;" continued, ... 547

August 1. (574) Band for the quieting of the Borders, and suppression of the innumerable slaughters, fire-raising, thefts, reifs, heirships, and other detestable enormities. Not to succour the offenders, but drive them from their possessions on the Borders, ... 548

(575) Narrates the "Auld Band of Roxburgh," for the same purpose, adopted 26th March 1551, ... 549

September 3. (576) Messenger goes to Arran to cite certain Hamiltons and others charged with fire-raising. They are in the Castle of Brodick, whence they issue, attacking and wounding the messenger. Not appearing, denounced, ... 552

(577) Thomas Williamson assailed and hurt by James Sandilands, elder, St. Monans. Citation of witnesses, ... 553

September 18. (578) The Regent determined to suppress stouth and other enormities on the Borders. A muster of the able-bodied men of the southern counties to meet him at Lauder, ... 554

July 18. (579) The mines of the realm, especially those of gold, belong to the King, and all gold should be brought to the Mint. Known to be smuggled out of the realm. Penalties and proclamation to be made at the market crosses of certain burghs and at certain mines, 554

August 27. (580) Act, of date 3d April 1573, for suppression of certain idle vagabonds and counterfeit people of all nations, falsely calling

themselves Egyptians, not having been effective, warrants directed to all local authorities to seize them and present them at the Tolbooth of Edinburgh, *cr.* 217, ... 555

October 16. (581) The Magistrates of Renfrew placed their "buist," with their common seal and muniments, to be kept for them in the house of John Robertson, the "starkest" in the town. When applied for, on occasion of an election, he would not render it. Cited, pleads that it was removed from his custody by authority. Ordained to produce the "buist," or prove his story, ... 556

October 25. (582) John Knox, burgess of Renfrew, produces the common seal of the burgh, and it is delivered to the Director of Chancery, . 557

October 26. (583) John Scott, minister at Selkirk, and his predecessors, have been kindly tenants of the half town and lands of Eliston, in the lordship of Melrose. The late James Earl of Bothwell having obtained a feu of the greater part of the lordship of Melrose, John for his own security took a feu of Eliston. Then Thomas Scott was received by the Convent of Melrose, as representative of the Earl of Bothwell, and so as owner of Eliston. His son Robert has been suing for the confirmation of the title. John has obtained an injunction to the Lords appointed for confirmation of feus to stay the confirmation, and an order to stop it at the seals. Parties appear, and are heard through prolocutors. The Council find no reason why the confirmation should be longer stopped, and ordained the keepers of the seals accordingly, ... 558

October 29. (584) Abuse and disorder in the burgh of Renfrew from double election of Magistrates and Officers. Persons cited, and order taken, ... 559

October 30. (585) John Carmichaell of Medoflat states that he is lawfully married with all ceremonials to Elizabeth Scott. By command of the Bishop and Commissioner of the diocese of Glasgow, he is admonished to part, under threat of excommunication, in terms of an Act made by the Kirk. Parties appearing, the Act founded on is called for, but not produced, because it is not yet "extracted out of the Books of the General Assembly of the Kirk." Case continued until the Act produced.—(See Proceedings of General Assembly, 7th August 1574, § 7), ... 560

October 31. (586) Protestation by Robert Hamilton and other Masters of the New College of St. Andrews, against the charge by the Council to receive William Walwod. All Universities, by their erection and foundation, have special organisation for disposal of offices. Constitution of St. Andrews to this end. The Council have no jurisdiction in the matter. The Council require their order for the reception of Walwod to be obeyed, without prejudice to the Provost and Masters filling up vacancies that may occur, . . 561

November 1. (587) Robert Bruce of Cultemalindies charged with oppressions in Orkney and Zetland. Order to be taken, and in the meantime he is to abide on the south side of the river Tay, . . . 563

November 2. (588) Alexander Urquhart having a presentation under the Privy Seal to the vacant benefice of the Deanery of Ross, the Bishop has found him qualified, but partially and wilfully postpones collation. The Bishop charged to collate or appear; fails in both. Charged again to collate, under pain of denunciation, . . . 563

November 8. (589) Andrew Murray asserts that a sum of money payable

to the Regent for accomplishing the ejection of "the said umquhile Andrew" from the lands of Urquhart, had been at the instance of the Commendator of Pluscardine entered in the Commissary Books. The keeper of these books enjoined to give extract, . . . 564

(590) Guthrie of that Ilk, under the Act of 1567 authorising the patrons of Provostries or Prebendaries to endow bursars with them, has presented one of his sons to the Provostry, and another to the Prebend, of Guthrie. John Erskin of Dun, superintendent of Angus, refuses collation. He is cited, but fails to appear. Collation to be given, under pain of denunciation (Act 1567, c. 13. The preamble states the reason for the enactment to be "because the poverty of money is in sic sort that they may not hold their children at letters, whereby the maist pairt of the youth of this realm wants the gifts and graces of learning requisite in that charge," viz., the ministry. —Act. Parl. Scot., vol. iii. p. 25), ... 565

November 12. (591) Malcolm Stewart in Boghall charges Montgomery of Giffen with leading an armed band to an attack upon him and upon his wife, who was severely wounded. Montgomery cited. Fails to appear. Denounced, ... 566

(592) The Regent repairing to Jedburgh for the administration of justice, proclamation for good order, and certifying those seeking remission for offences how to proceed, ... 567

November 13. (593) Proclamation that for the convenience of those having to attend, certain districts and relative times are assigned. These stated at the end, ... 567

(594) Farther proclamation for giving effect to the order for restoration of the goods seized at the affair of the Reid Swyre. To be brought to the kirkyard of Jedburgh at a day fixed. Failure to be treated as theft, ... 568

November 16. (595) Certain tenants and farmers in the lordship of Melrose had been allowed deductions from their rents by Queen Mary, on account of damage by inundation. Balfour of Denmilne proceeds against them for the old rent. He is cited, but fails to appear. Denounced, 568

December 5. (596) Act for better enforcing an Act of Queen Mary's reign, for proper attendance on the Warden of the Western Marches at days of Trew, ... 569

(597) The persons with holdings under William Ainslie of Fawlaw, since he was denounced at the horn, are troubled with counter claims for their rents, tithes, and other obligations. The Council decide that "for anything they have yet seen" Walter Ker of Littledane is the person entitled to receive them, ... 570

(598) Robson in Rochthewchmylne had found surety for damages to Malie Hall for the slaughter of her father, but payment "drifted and delayed." The party charged of his own consent to pay twenty marks, ... 571

(599) Alison Dunbar and her husband cited, and appear, but none appear as pursuers. Protestation, ... 571

December 6. (600) The efforts to staunch murder, reif, theft, masterful oppression, and other enormities on the Borders. Many of the perpetrators at large. A roll of these sent to the Wardens in Scotland and England, and to other officers near the Border. These, and the lieges generally within the Wardenries, may seize the persons on the list and bring them before the justice, or otherwise the captor may

put on trial by assize or jury, and execute justice. Harbourers to be punished as principals, ... 572
December 16. (601) Resumption of disputed municipal election in Renfrew. Parties agree on list of persons who are appointed. The persons to be elected must always be inhabitants of the burgh. Correction of abuses as to disposal of corporate property, ... 573
December 20. (602) William Henderson had license to go abroad on his lawful affairs, but he is found trafficking with Papists. The license called for and produced, is in the unusual form of letting the holder remain abroad at his own pleasure, and must have been got by circumvention. It is to expire at the end of February, . . . 575
December 21. (603) Statement that Patrick Houstoun of that Ilk, travelling on the highway to his own place of Houston, was assailed by the Earl and Master of Glencairn at the head of 300 armed men. With other casualties, Houston himself taken captive. Parties being cited, the Council refuse to accept the appearance of the accused by deputy. On personal appearance, and presenting Houston, whose statement they do not admit, they are allowed to make their defence, and Houston is freed, ... 576
December 22. (604) Complaint—Corporation of Canongate against Corporation of Edinburgh. The Canongate maltsters were in use to remove their malt straight to the premises of the brewers in Edinburgh, but now they are compelled to take it to the open market, where a duty is charged. The Corporation plead statute, which the maltsters maintain to have fallen into desuetude. The Council decide in favour of Edinburgh, ... 577
December 25. (605) The Council, understanding that there was a chest full of writs pertaining to the Commendators of the Abbey of Kelso, require it to be produced by its custodiers, and also require production of the key, which is in separate custody. Inventory to be made, 580

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January 2. (606) Dispute about dikes and ditches at Sauchtonhall, for the service of two mills. The Council finding "the said matter to be civil, remitted and remits the same to be discussed and pursued civilly before the Judge Ordinar," 580
January 5. (607) Alexander Balfour of Denmylne pleads that of the charge against him in the matter of the tenants of Gattonside he was not served with due notice. Plea admitted, ... 581
(608) Salamon Kerknet of Magdeburg who came from Flanders to be "composer of the werk of the Bybell," pursues Thomas Bassenden, "maister of the said werk," for the stipulated wages. Bassenden ordained to pay, with relief against Alexander Arbuthnot, . . 582
January 8. (609) The justice-ayre for the Sheriffdom of Linlithgow to be held in Edinburgh. Proclamation and notice to parties, . . 582
January 11. (610) Alexander Arbuthnot states contract with Thomas Bassenden, bookbinder, to make over to him the "werk of the Bybill," so far as printed, with the printing-house and materials. Parties heard, and Bassenden ordained to make delivery, . . 583
(611) William Adair complains that certain proceedings affecting his family in the Commissary Court are founded on forged docu-

ments. Found to be a matter for remedy by reduction in the ordinary courts, ... 584
(612) Proceedings to compel William Robson, *alias* "Tuiche Him," to appear, ... 584
(613) Alexander Forbes, burgess of Aberdeen, becomes surety, for the proceeds of the sale of a ship belonging to a fellow-burgess, wrecked on the coast of Holland, being paid to those entitled to them, ... 584
January 20. (614) The Earls of Argyll and Atholl in Edinburgh, with numerous followers, for adjustment of differences. Proclamation to keep the peace. None to use fire-arms but the Regent's Guard and the Civic Guard, ... 585
February 2. (615) Reference to General Act of Council for rendering returns of ecclesiastical benefices. Neglect in the case of Coldingham, and the reasons of it. On charge to the Commendator, rentals exhibited, ... 586
(616) Alister Dow M'Ewen of Camroun, and John Cam his brother by surname, seized by the Earl of Atholl, and held prisoner in Blair Castle. The Earl pleads his judicial capacity. They were rebels at the horn, and had committed slaughters and oppressions upon the Earl's people. The Council require the Earl to produce his prisoners along with the writs out against them, . . . 587
February 14. (617) Act against exporting victual or grain (1567, c. 3, Act. Parl. Scot. iii. 40) had been passed in time of dearth. The present a period of special abundance. Had been succoured when in distress by neighbouring countries, and the time came to reciprocate. Licenses may be granted current for one year for exportation to France, Flanders, and England, ... 588
February 18. Thomas Fraser of Knocke, tutor to Lord Lovat, in consideration of certain favours and gratitudes shown to him by the Regent Morton, grants an obligation for the house of Lovat not to bear grudge, quarrel or enmity against John Hay of Lochloy—kinsman of the Earl of Morton—for occupying the lands of Kinnoudy, sold to him for great sums of money by the late Hew Lord Fraser of Lovat, 589
February 19. (618) Turnbulls and their feuds again troublesome, having broken their surety. Penalty of £1000 incurred, . . . 591
(619) James Shaw of Sauchy says he is accused of seizing Thomas Ramsay, messenger, in execution of writs, and shutting him up in Sauchy, and being cited, failed to appear, not from contempt, but sickness. Now appears, but his accuser fails. Diligence suspended, 592
(620) Question between Johnstone of that Ilk and the Warden of the West as to Jock Irving of the Steill Hill being fyled in a bill, . 593
(621) Question—Dalyell and others against the tutor of Crichton, continued, ... 593
February 22. (622) Continuation of the case of the sureties for Ross of Balnagowan. Forfeited, ... 594
February 23. (623) Laurence Bruce of Cultemalindy made Admiral-Depute. Obligation to perform his duties in that office, . . . 595
February 26. (624) Cranstouns assert right to the tithes of Mains of Corsby, in the parish of Ligertwood. Dispute as to the leading, . 596
March 1. (625) The craftsmen of Edinburgh against the Magistrates for refusing to receive Henry Blyth, surgeon, as a guild brother. The Magistrates to report on his fitness, ... 597

March 2. (626) Convocation in Fife against Commendator of Arbroath. Muster from neighbouring counties proclaimed, ... 598
March 5. (627) Contract.—The Regent on the one part, John Acheson Master of the Mint on the second, and Abraham Peterson, Fleming—an expert in melting and refining, on the third part, for the coining of silver, ... 598
March 12. (628) Case of Henry Blyth, surgeon, resumed. Inquiries not satisfactory, and question continued, ... 601
(629) Cathcart of Bochton brings a charge of oppression against M^cKie of Merton. M^cKie cited, had failed to appear from sickness. Horning procured by Cathcart suspended, ... 602
(630) Anthony Hanky, Englishman, merchant in Westchester, charges the pillaging of his ship lying in the river Chester against several Scotsmen, including Lord Maxwell, Warden of the West Marches, and John Lord Herries. Particulars of the goods taken and their value. The accused charged to restore, ... 603
March 22. (631) Convocations in Fife owing to dispute between Commendator of Arbroath and Douglas of Lochleven. Citation to appear, 605

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March 26. (632) John Bowmaker of Cindon dies and leaves an only daughter his heir. Family dispute about her guardianship, and a statement that she is held in custody. To be set free and put in the hands of her mother, ... 606
March 28. (633) On the Links of Leith, William Forester assailed John Kyle, and broke a club upon his head. Fired a dag at him and his brother on the Sabbath day. Kyle appears, but the accused defaults, 607
March 29. (634) Richard Abercromby, burgess of Edinburgh, is proprietor of Polton, near Edinburgh, and near the Regent's house of Dalkeith. While peaceably ploughing his land, attacked by followers of Dalhousie, who hamstringed his horses and cut off the head of one of them. The accused not all appearing, those absent denounced, . 608
April 24. (635) Supplementary to the Act for supplying neighbouring counties with food. Precautions against exporting more than the respective licenses cover, ... 609
(636) Burnsides find surety not to molest the Haitlies, and to keep the peace generally, ... 610
May 15. (637) Hawks in Orkney and Zetland used to be well kept for the sport of the King. They are now abstracted and the King's servants misused. Proclamation against, ... 611
May 23. (638) Feud, the Earl of Monteith and Lecky of that Ilk. Both to attend in quiet and peaceable manner, ... 612
(639) Resumption of case Anthony Hanky, citizen of Westchester. An irregularity to be corrected, *cr.* 630, ... 612
May 25. (640) Lord Maxwell, Warden of the West Marches, resigns that office. The Earl of Angus to succeed him. Maxwell and his clerk to produce books and documents, and initiate his successor, . . 613
(641) The Warden and Justice-Clerk to hold a justice court at Dumfries. Proclamation, ... 614
(642) Montgomery of Giffen, when cited unable to attend. Put to the horn. Appears, and letters suspended, ... 614
May 26. (643) Lord Maxwell no longer Warden of the West March.

Lochmaben Castle must be put in order for his successor. Arrangements for collecting the tenants' dues, ... 615
May 31. (644) Injunction for better confirming the laws against the exportation of bullion, ... 615
April 24. (645) Commission to inquire into the truth of the charges of oppression in Orkney and Zetland. The Commission in full, . . 617
July 2. (646) George Ogilvie of Dunlugus cited to attend. Produces acquittance for rendering "capes, organs, and common seal," . . 618
July 4. (647) Patrick Lord Lindsay of the Byres surety for the appearance before the Council of Torquil M^cLeod, son of Rory of the Lewis, . 619
July 22. (648) The pledging of the Borderers among gentlemen of the Incountry has been imperfect or otherwise inefficient. Muster proclaimed at Dumfries for the invasion of the thieves, ... 619
(649) Further minute on the raid on the Borders. The inhabitants of the southern counties who remain at home to be sedulously on guard against invasion, ... 620
(650) David Wemyss of Drone going to abide in France, finds surety to do nothing there inconsistent with his loyalty, . . . 621
(651) Lord Lindsay and others become surety for Lord Robert Stewart, Feuar of Orkney, remaining in ward in Linlithgow. Mowbray of Barnbugle and Logan of Restalrig sureties in relief, . . 622
August 6. (652) Question between certain Davidsons and Kerr Warden of the Middle Marches, as to fyling of bills against the Davidsons, continued for testimony, ... 622
(653) James Turnet had become surety for an Englishman's debt of £6 Scots and had to pay it, the Englishman being in trouble in Scotland. Turnet catches a mare belonging to him, but on suit is fyled in the double and costs, and is cited to a day of Trew. Found that the bill has to be satisfied there in the first place before relief, ... 623
(654) Charge of intimidation, Drummond of Kingsfield and others against Captain Andrew Lamby, continued for proof, . . 624
(655) Alexander Burnfield, decreed to keep himself warded in Edinburgh till he found surety, contemptuously disobeyed and wilfully passed home to his dwelling-house. Cited to appear and be denounced, ... 625
(656) Persons who have bought goods taken in piracy by a French ship of war to answer, ... 625
August 8. (657) James Stirling of Keir forfeits £2000 for permitting John Little of Kessock, pledged with him under the Border arrangements, to escape, ... 626
August 9. (658) Consideration in smelted metals, for license to Douglas, Captain of the Castle of Edinburgh, to export ore, ... 626
August 27. (659) Andrew Ramsay, Treasurer of Perth, on rendering his accounts, finds that the auditors to deal with them are chiefly ex-treasurers, whom he intends to charge with peculation. He is seized by them and warded in the Tolbooth. The Council appoint eight "indifferent" persons to appear along with the burgh auditors, on the rendering of the accounts to Exchequer, ... 627
August 28. (660) A court of perambulation for settling debated boundaries to be held on the lands of Manwelrig. Believed that claimants are to bring armed followers. Prohibition to any one to bring more than twenty-four, and all unarmed, ... 629

August 30. (661) A ship belonging to Englishmen seized when fishing at Shetland, and arrestment put in at Leith. The ship to be freed so that "she may depart at her pleasure," reserving the arrester's right of action, ... 630
September 2. (662) Alexander Burnfield finds surety to abstain from assailing Haitlies, and from associating with broken men of his own name. Should any of them be mutilated or slain by Haitlies and others, Alexander to have no justification to avenge, . . . 630
September 3. (663) Sureties for John Lord Maxwell, that being released from Blackness he shall remain within St. Andrews and three miles about, ... 631
September 5. (664) Thomas Symson, servant to Davidson, "ypothecar," finds surety not to go abroad, ... 631
September 11. (665) Stirling of Keir states the hardship of his being responsible for the escape of John Little, a pledge, and is assigned relief against Robert Maxwell of Langholm, ... 632
September 15. (666) The King having hitherto been honourably nursed and attended on by the Countess of Mar, being now twelve years old, it is determined that he shall have male attendants, under the authority of Alexander Erskine, Master of Mar, Governor of Stirling Castle, where he resides. Honourable acknowledgment of the Countess's services. To continue in like charge and attendance, "saifing her remaining in his said chamber in the night and commanding therein." Sir William Murray of Tullibardine protests for relief from his suretyship for the custody of the King, . . . 633
September 20. (667) James Scrimgeour, under a decree of the Lords "of Counsale," viz., the Court of Session, is, under the usual formalities, getting himself feudally invested in the lands of Clappintown and Calderness Green. In this process he has to remove, with others, James Scrimgeour, constable of Dundee. He is attacked by the constable with an armed force, and imprisoned in his fortress of Dudhope. Parties heard and the constable denounced. (*N.B.*—The procedure is not in the usual terms as before the Secret Council, but before "the Lords Auditors of Checquer"), ... 634
September 21. (668) William Dodd, Englishman, merchant in Westchester, sues for redress to himself and others, for their interest in three ships seized by Andrew Whyte, pirate, and taken into Whithorn. Specific statement of claims and procedure. £300 sterling found due, and decree against surety for £200. (See in Table of vol. i. Nos. 456, 591, 684), ... 636
September 23. (669) Captain Alexander Campbell finding surety, licensed to raise fifty men for Flanders, ... 638
September 27. (670) Dundee, Perth, and certain other burghs authorised to stent themselves for substitutes instead of joining the muster at Dumfries on 10th October, ... 638
September 30. (671) Certain Davidsons fyled in a bill to Sir Thomas Gray of Chillingham, for four oxen and a nag stolen or resetted by them. The Warden liable. The Council put the question to thirteen persons according to the order observed in such cases. The Davidsons acquitted by their verdict, ... 639
(672) Protest by Corporation of Dundee that the stenting be not a precedent, *cr.* 670, ... 640
October 4. (673) The muster at Dumfries postponed to 1st November, . 640

October 10. (674) Captain Henry Balfour, who had been colonel of the Scots companies in Holland. Having now returned from the service of "the Estates in the Low Countries," these Estates being constrained to "renew the war for their just defence," Balfour now holds commission in name of the King of Spain and the Estates of his Low Countries. Commission at length in French as colonel of a regiment of the Scots "enseignes," with authority over captains and lieutenants. Particulars of pay. The Council authorise him to "strike drums, display ensigns," and raise his men, . . . 641

October 16. (675) License to Captain Edward Preston to levy 200 men for the Low Countries, ... 643

October 23. (676) Feud between Scotts and Kerrs had been "ordained to be buried and put under perpetual silence and obligation." Breaking out again. Measures for suppression, ... 643

October 25. (677) Case of Dodd and others of Westchester continued. Items of cargo removed, and corresponding list of persons liable, *cr.* 668, ... 644

Dingwal of Kildun ordained to be put to the knowledge of an assize for contravening the Acts forbidding to "schute at wyld beist, da, ra, and uther vennesoun," 648

November 5. (678) Complaint, Barthill Strang of Woisgarth in Shetland, that Laurence Bruce of Cultemalindeis compelled him to pay rent as farmer of the impost called "the bishop's umbois." Had stopped him on his voyage to Norway, compelling him to convey him (Laurence) and certain followers to Dundee. Counter statement. Continued for proof, ... 648

November 8. (679) Resumption of charge, James M^cConnell against the Earl of Argyll. The Earl keeps him prisoner in defiance of the injunctions of the Council. The Earl charged to release him, under pain of rebellion, ... 649

November 19. (680) Case of Dodd and others of Westchester continued, *cr.* 668, ... 650

December 6. (681) Dandy Tait liable to relieve William Ker, younger of Cesfurd, in a bill. Fails to appear; ordained to pay, . . . 651

(682) Claim—Nicol Elphinston of the Shank on the "thirds" of Abbey of Newbottle, ... 652

(683) Alexander Calendar, "minister of God's word at the Kirk of Largs, in Cuningham," charges Andrew Master of Semple with repeated murderous assaults on him, ... 653

December 10. (684) Lyon la Blankscheu of Bretagne, Master of the "Perundaill," seeking shelter for his ship at the Cumbraes, states that she was boarded by twenty-four persons,—several of them named—who took her to Lamlash, intending to carry her off to sea. Citation; failure to appear, and denunciation, ... 653

December 14. (685) Owners of the ship "Mynioun" of Southampton state that they were peacefully fishing in the waters of Shetland, having paid duty to the Foud, when their ship was seized by an armed party under Lord Robert Stewart the Feuar, and the crew handled as enemies. Particulars of the effects seized, and of loss by detention. Lord Robert appears with a counter charge that the ship was fitted up in England by a gang of pirates. As local judge he had put part of the gang on trial by a jury of twenty-five of the worthiest inhabitants, who convicted them, but they escaped for the time.

Full narrative of the acts of piracy charged. Commission for inquiry in Shetland. Also a commission, with request, to the Mayor and Sheriffs of Southampton, ... 654

December 21. (686) Troubles in the neighbourhood of the King's residence by quarrel between followers of Mar and Livingston. Arrangements for quieting, ... 660

November 24. (687) David Harper, messenger, reports his attempt to serve the King's writs on the Earl of Argyll. Manages to find the Earl, who discards the writs, and in his presence the messenger is assailed by about a hundred Highlanders, who seize the writs and put a rope about the neck of an assistant messenger,—sworn never to serve writs in Argyle territory,—threatening to hang him if anything is concealed. The Earl charged at the market crosses of Stirling and Dumbarton, ... 660

1577-8.

January 1. (688) Argyle charged for not producing Allister Dow M^cAllane V^cEwin Cameron, and John Cam his brother, . . 661

January 8. (689) Laws that the Royal household be first served with wines imported ineffective; remedy, ... 662

January 14. (690) Question as to feu-duties of Wester Limphoy claimed by sacristan of Trinity College beside Edinburgh, ... 662

January 17. (691) Argyle not appearing, denounced. The messenger charged to declare the truth of the affair, "as he will answer to God upon the salvation and condemnation of his own soul." Repeats with further particulars. Confirmed by the assistant, threatened with hanging, *cr.* 687, ... 663

(692) Dispute among Wedderburns, citizens of Dundee, as to disposal of 400 merks. Evidence to be taken, ... 664

January 21. (693) Disputes again in breach of the pacification between Scotts and Kerrs. Pleaded that George Ker, heir of Fawdonside, was to marry the aunt of Scot of Branxholm, or pay 1000 merks, and neither done. Ordained to pay the money in the meantime, . . 665

January 24. (694) Charge by Alexander Winchester, minister in Elgin. States that James Dunbar, Sheriff of Moray, having accused him of slaying the daughter of Alexander Dunbar, Dean of Moray, of which God knows he was innocent, took illegal proceedings against him in the Sheriff-Court. Technical pleadings in the jurisdiction of the Sheriff in cases of murder. He is induced to find sureties, and their and his own goods are seized by the Sheriff. Particulars. The Minister appears, but not the Sheriff, who is denounced, . . . 666

(695) Cost to certain Davidsons in getting clause of a bill fyled, . 669

January 30. (696) Registration of bond. Lord Robert Stewart with several great persons as his sureties, that having been warded in Linlithgow, and being now licensed to return to Orkney, he shall be ready to ward himself again anywhere southward of the South Esk in Angus, and to appear before the Council. Note that this minute deleted by order under the sign-manual, ... 669

February 3. (697) Resumption of the case of the merchants of Westchester and their ship. Discharge for a sum of money received, . 670

February 15. (698) Discharge by the aunt of Scot of Branxholm of the penalty for failure of marriage, as per minute of 21st January, *cr.* 693, 671

February 16. (699) Surety for the Earl of Monteith appearing before the Council and keeping good rule, ... 671
February 17. (700) William Monteith of Wester Kerse, being released from Blackness, finds surety to re-enter himself in ward, . . 672
February 18. (701) The Earl of Argyll has proclaimed a muster in his territory, professing to be for the suppression of disturbances. The real object to attack Donald M^cAngus of Glengarry, and other good subjects. Muster in the north for Donald's protection. Proclamation at Stirling and Dumbarton, being impracticable within the bounds of Argyll, *cr.* 691, ... 673
February 19. (702) Further proclamation for muster in aid of Donald of Glengarry, ... 674
(703) Proclamation of muster in the western counties to be ready to march to the Borders for suppression of disorders, . . . 674
February 20. (704) Further proclamation for protection of Donald of Glengarry, ... 675
February 21. (705) Captain Yorstoun having raised money to enable him to serve under Colonel Balfour in the Low Countries, seeks relief from harassment by creditors, ... 676
March 8-24. (706) Acts as to proclamation of the King, and discharge of the Regent Morton referred to as printed in the Acts of Parliament, ... 677

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March 25. (707) The Earl of Angus having "given over" the office of warden of the West Marches, John Lord Maxwell appointed to succeed him. Specimen of the form and conditions of such appointment, ... 678
(708) Earl of Angus charged to render Border fortresses, . . 679
March 29. (709) Earl of Atholl appointed Chancellor, ... 679
April 10. (710) M'Gill of Rankeilour appointed Clerk Register, . . 679
April 11. (711) Scarcity. All grain to be thrashed before the 10th of July; what is then unthrashed to be forfeited. Encouragement to importation, and prohibition of exportation, ... 680
April 12. (712) Statute against bearing and using fire-arms having been ineffective during the troubles, to be in force with certain specified modifications. Not to affect sportsmen within their own grounds, or mariners armed for defence at sea, ... 681
April 14. (713) Pressure from increase of prices and other causes on the ordinary revenue for the services of the Crown. No gifts of casualties and other feudal dues, to be made gratis, for three months, 683
April 17. (714) The community of Jedburgh prohibited from making bands to assist one side in any feuds, ... 684
(715) Rutherfurds and other Borderers come under the like obligation, ... 684
(716) Obligation by Ker of Cesfurd and others of his name not to molest the town of Jedburgh, ... 685
(717) Like obligation as to each other by the Kers on one side, and Rutherfurds and other Borderers on the other, . . . 685
April 21. (718) The escheats against the Sheriff of Moray and others on the complaint of Winchester to be accounted for, *cr.* 694, . . 685
(719) Robert Jolie, furth of the realm, finds surety to appear, . 686

April 23. (720) James Davidson and Lancy Anysly fyled in a bill to an Englishman, ten years ago. For the preservation of unity between the realms, Ker of Cesfurd and others become bound for the bill. Davidson and Anyslie decerned to relieve them, ... 686

April 24. (721) The Master of Semple finds surety not to invade Alexander Calendar, minister, *cr.* 683, ... 687

(722) Surety for David Lawson and John Burne, in Strathcathro, appearing before the Council, ... 688

April 30. (723) Understood that certain harquebusiers are repairing from Edinburgh to Stirling. Ordered to return, ... 688

May 3. (724) The Earl of Athole and other nobles become sureties for the Earl of Mar in his charge of the King, and loyal government of Stirling Castle. The Countess of Mar continuing in attendance. No Earl to be received within the castle with more than two followers; no Lord with more than one; all others to be alone, . . 688

(725) The Master of Mar discharged of responsibility for service to the King, and appointed Governor of Edinburgh Castle. May have access to the King, he and his nephew Lord Mar continuing in kindly duty with the other near kinsmen of Lord Mar, . . . 690

(726) In reference to the preceding two minutes, Lord Buchan and other "friends" of the Earl of Mar's house give band to concur with and assist him in the diligent performance of his charge, and to relieve his sureties, ... 690

(727) Discharge to the Master of Mar, along with his friends and sureties, ... 691

(728) Reference to an Act of His Majesty, by advice of his nobility, of 24th March, for formalities before signatures pass the seals. Business interrupted by them. Were not intended to apply to the Treasurer and Comptroller, in passing any "ordinary things" belonging to their office. Definition of occasions to which they are to apply, including the Crown's interest in feudal casaulties. (Act. Parl. Scot., vol. iii. p. 119), ... 692

(729) Ships arrived with wine. Directions for selection for the King's household, ... 693

May 6. (730) Not convenient yet to organise the Royal household—suspended, ... 694

May 13. (731) Robert Clerk and his wife settled in the lands of Croftgarie and Brago, in Fifeshire. An armed party sent by the Abbot of Inchcolm, who attack and wreck the buildings, and plunder the domains. Referred for pursuit, civilly or criminally, before the "judge ordinar," 694

April 28. (732) Expedient that "the hail Council" assemble to meet his Majesty on the 2d of May. Regulation for number of attendants. General prohibition against going armed to Stirling, . . 696

(733) Obligation by those attending on the King to enforce this regulation. Signed Mar, Cambuskenneth, Dryburgh, ... 696

May 14. (734) The Bailiary of the lordship and regality of Glasgow had been in the Lennox family. Narrative of interim conditions. Adjudged to belong to the King as successor, ... 697

May 16. (735) In April 1564 Queen Mary had granted to John Earl of Athole for life a commission of Justiciary. Statement of the several territories included, and definition of the powers conferred. Given "against all use, form, and order observed in such commissions."

Reasons why the commission prejudicial to the rights of the Crown. The Queen who granted it to be held as "naturally departed from this mortal life." After hearing both sides, the Council decide that there is no ground for discharging the commission, . . . 698

(736) Gairdin of that Ilk slain by Guthrie of that Ilk and his accomplices. Precautions against the escape of the perpetrators by sea, ... 701

May 30. (737) The King's hawks escaping, all finding them within twelve miles of Stirling to restore them, under liability to be charged with stealing them, ... 702

June 1. (738) None to raise bands of armed men without Royal license. Certain bands raised within burghs to break and disperse, . . 702

June 2. Charge to come to the General Convention to be held at Stirling in a peaceable manner, ... 703

June 3. (739) Suppression of disturbances in the town of Perth, . . 703

June 14. (740) Preparations for holding a Parliament on 10th July, . 705

(741) Surety found by the Earl of Crawfurd on his being released from the Castle of Edinburgh, to abide at his house of Cairnie, and again ward himself if required, ... 705

June 15. (742) Arrangements for the peaceable assembling of Parliament. Number of followers restricted to each grade, . . . 706

June 17. (743) Ambassador to be sent to the Queen of England, to thank her for the favour and good-will shewn by her to the King in his younger age, and to confirm and renew the peace and amity between the realms. The King's succession to the Lennox estates in England to be urged. To consider as to entering "on further amity and league" in case of foreign invasion or internal insurrection, . . 707

(744) Protestation by certain Lords that nothing should be done in the matter of league and amity but through the Estates, . . 708

REGISTER

OF THE

PRIVY COUNCIL OF SCOTLAND.

ACTA 1569-1578.

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OF

THE PRIVY COUNCIL OF SCOTLAND.

ACTA 1569.

Apud Perth, xxvii die mensis Julii, anno Domini j^{m}v^{c}lxix^{o}. 1569.

Forsamekill as my Lord Regentis Grace, diverse of the nobilitie, and utheris of the Estaittis, faythfull and obedient subjectis to our Soverane Lord, ar presentlie convenit within this burgh of Perth for materis tending to the quietnes and commoun weill of the cuntre, quhilkis as thai aucht to be handillit quietlie and in gude ordour, sa quhasaevir at this tyme wald ministrat occasioun of troubill or unquietnes, ar inymeis to our said Soverane Lord and this commoun weill. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Previe Counsall, ordanis ane herauld maser or ony uther officiar of armes, to pas to the marcat croce of the burgh of Perth and utheris places neidfull, and thair, be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all gude and sindry his Hienes liegis presentlie reparit, or that sal happin to cum to this burgh during the tyme of this Conventioun, that nane of thame tak upoun hand to invaid or persew utheris be force and way of deid, owther for auld feid or new, in word, deid, or countenance, or ony wayis to gif occasioun of troubill and inquietnes, quhairthrow the necessar effaris presentlie in hand may be hinderit or impedit. And siclyke that na maner of personis tak upoun hand to beir or weir ony jakkis steilbonettis daggis culveringis or uther wappynnis, offensive or defensing, within this burgh during the tyme of this conventioun, bot onelie thair swerdis and quhinyearis—the men of weir serving under our Soverane Lordis wageis, exceptit—under the said pane of deid; chargeing the Sheref of Perth and his deputis, and the Provest and Baillies of this burgh of Perth and thair officiaris, to serche and seik all personis contravenaris of this present or-

To keip gude ordour.

dinance and proclamatioun, and to put and hald thame in ward and sure firmance within the Tolbuyth of this burgh quhill justice may be execute upoun thame according to thair demeritis.

The names of the nobill men and utheris of the Estaittis convenit at Perth, otherwyise namyt Sanct Johnnestoun, upoun the xxviii day of Julii, the yeir of God j^{m}v^{c} thre scoir nyne yeris.

Names at the Conventioun.

James Erll of Murray Lord Abirnethie, Regent to oure Soverane Lord, his realme and liegis.

Erllis.

James Erll of Mortoun Lord of Dalkeyth Chancellar.
George Erll of Huntlie Lord Gordoun and Badyenoch.
Johnne Erll of Atholl Lord of Balvany.
David Erll of Craufurd Lord Lindesay.
Johnne Erll of Mar Lord Erskin.
Gilbert Erll of Cassillis Lord Kennedy.
Alexander Erll of Glencarne Lord of Kilmawris.
Robert Erll of Buchane Lord of Glendowaquhy.
Williame Erll of Menteyth.

Williame Maister Marschell sone to the Erll Marschell.
Johnne Maister of Grahame nepote and heyre to the Erll of Montroise.

Bischoppis.

Robert Bischop of Caithnes.
Adame Bischop of Orknay.
Alexander Bischop of Galloway.
Alexander Bischop of Brechin.
Johnne Bischop of the Ilis.

Abbottis and Pryouris.

Robert Commendatare of Dunfermling.
Johnne Commendatare of Balmerynoch.
Johnne Commendatare of Coldinghame.
Alexander Commendatare of Culross.
Walter Abbot of Kinloss.
Robert Commendatare of Quhitherne.
James Commendatare of Pettinweme.
Johnne Pryour of Portmook.

Lordis.

Alexander Lord Hume.
Patrik Lord Lindesay of Byris.
Williame Lord Ruthven.
Laurence Lord Oliphant.
Johnne Lord Glammis.
Patrik Lord Gray.
James Lord Ogilvy.
Robert Lord Sympill.
Johnne Lord Innermeyth.
Andro Lord Stewart of Uchiltre.
Hew Lord Fraser of Lovett.
Robert Lord Maxwell.
Williame Lord Borthuik.
Allane Lord Cathcart.
Henry Lord Methven.

Patrik Maister of Drummond. Henry Maister of Sinclair.

ORDINAR OFFICIARIS.

Robert Commendatare of Sanct Marie Ile Thesaurare.
Sir Williame Murray of Tulibardin knycht Comptrollar.
Williame Maitland of Lethingtoun youngar Secretar.
Mr. James Makgill of Rankelour Nether Clerk of Register.
Sir Johnne Bellenden of Auchnowle knycht Justice Clerk.
Mr. Johnne Spens of Condy }
Robert Creichtoun of Elyok } Advocattis to our Soverane Lord.

COMMISSARIS FOR CERTANE OF THE CHEIF BURROWIS.

Edinburgh.

James Baroun. Alexander Clerk. Alexander Guthre.

Striviling.

Alexander Forester of Garden Provest.
Robert Forester youngar.
William Norwell.

Perth.

Patrik Murray.
Thomas Monypenny.

Dunde.

Mr. James Halieburtoun Provest.
James Scrmygeour of Balbewchy.
James Lovell.
Johnne Fothringhame.

Abirdene.

Thomas Menzeis of Petfoddellis Provest.
Maister Robert Lumisden.

Glasgow.

Johnne Stewart of Mynto knycht Provest.
James Flemyng.

Sanctandrois.

Patrik Lermonth of Dersy knycht Provest.
Mr. Martine Geddy.

Air.

James Bannatyne.

Montroise.

Johnne Erskin of Dun Provest.

Thir abone namit personages wer present at the said Conventioun with a greit nowmer of ancient baronis, diverse Senatouris of the College of Justice, and utheris leirnit men of gude reputatioun.

Mr. Johnne Woddis Report of his proceedingis in England.

The quhilk day, in presence of my Lord Regentis Grace, the Lordis of Secreit Counsall and utheris of the nobilitie and estaittis abonespecifiit, Maister Johnne Wod, ane of the Senatouris of oure Soverane Lordis College of Justice, reportit his proceedingis and negociatioun with the Quenis Majestie and Counsall of England; and in speciall, declarit 'hir Hienes creditt committit to him according to the notes thairof writtin with the hand of hir Majesteis Secretary, quhairin ar contenit thre degreis that ar discoursit on be sum for ane accord to be maid of all contraversiis betuix the King our Soverane, on the ane part, and the Quene his moder on the uther; of the quhilkis degreis thir ar the wordis :—

The degreis collected upoun speches projected by sic as have commonit and devysed of the Quene of Scottis caus:

The degreis.

First, how the Quene of Scottis mycht be induced to affirme the estait of hir sone according to the parliament held quhylest schö wes in Lochlevin, and how hir estait for hir persoun with hir suirtie and libertie may be provided.

Secundlie, gif this can nocht be compassed, how schö may be induced to joyne in titill of the croun with hir sone, to regnne boith joyntlie, and the governament to remane during hir sonnis minoritie in the ordour of a Regent and a Counsall of the land; and heirin quhat ordour is to be takin with the Quene for hir abode.

Thridlie, gif none of these can be compassed, than gif the Quene sould be recognized Quene and hir sone sould onelie remane Prince. It wald be considerit how these thingis following may serve to ony gude purpose.

First, that the state of religioun may be universallie ressaved and obeyit of all personis of Scotland, according as it is now professed by the Regent and the subjectis joyned with him; and gif the Quene will not in hir awin persoun observe the same, that yit schö sall observe the maner of the religioun usit in England; and that the Quene and croun of Scotland be deliverit frome the superioritie challenged by the Bischop of Rome.

Secundlie, that the governament may be establissed in the Erll of Murray untill the Prince cum to xviii yeris of aige and a Counsall chosin of the nobilitie of Scotland, and the offices of the realme to be committit to speciall personis nocht to be changed by the Quene without the assent of the Regent and moir part of the Counsallar.

Thridlie, that a full accord be maid betuix the Quene and all hir subjectis, and the lyke betuix the subjectis thame selffis, so as restitutioun be maid of all landis heretable to be in state as thai wer at the Quenis committing to Lochlevin, sauffing suche as ar attaynted and convycted of the murthour of the Quenis husband, and that ane abolitioun be maid of all actionis and sutes for all materis chanced in the menetyme.

Fourtlie, that na strangearis be interteneit nor sufferit to remane in the realme uther than knawin marchantis or necessary houshald servantis.

Fyftlie, that a perpetuall league may be maid betuix England and

Scotland, and suche part of the treateis betuix France and Scotland revoked as manteneth offence betuix England and Scotland, and the amytie betuix France and Scotland to remane as it doith betuix England and France.

Lastly, to considder quhethir these thingis following may tend to mak gude assurance of the premissis.

First, that the articles of this treaty may be accorded tripartedlie ; that is, the Quene of England, the Quene of Scottis and the Prince of Scotland, and the subjectis a thrid.

Secundlie, that thai may be establissed by Parliament in Scotland, with penalteis of heich tressoun aganis ony the subjectis of Scotland that sall brek the samyn, and the proffeit of the forfaltre to cum to the Quene or hir sone as ather of thame sall be offended.

Thridlie, gif the Quene of Scottis sall brek ony of thame and so salbe judged by the Quene of England with assent of the Regent and moir part of the Counsall, than schö sall forfalt hir state to hir sone quho salbe reputed King to all intentis without ony uther coronatioun.

Fourtly, that a convenient nowmer of hostages may be gevin on boith partis of the nobilitie of Scotland for observance of these articles to remane in England at the ordour of the Quene of England untill the Prince salbe xviii yeris of aige.

The last is to be considderit in quhat place the Quene of Scottis sall remane.

Quhilkis degreis wer severallie louked on, and everie ane of thame be the self weyit and weill considerit be the nobill men and States abone writtin convenit, quha having heirtofoir had large experience of the Quenis Majestie of Englandis gudnes, hes takin hir Hienes meaning in verie gude part. Bot finding the twa degreis last in ordour of the thre, sa prejudiciall to the King oure Soverane Lordis estait and consequentlie to the suirtie of all his obedient subjectis, as also sumquhat dangerous for the unquieting of the haill yle ; thay can nocht find it expedient to condiscend to direct ony man towardes the Quenis Majestie of England to confer upoun the same, thinking the burding greittar than the schoulderis of ony ane may beare ; and yit for the first—being in the self nocht altogidder sa dangerous, as alsua carying with it sum greittar apparence of ressoun—thay ar content to have the same conferrit upoun ; and besydes to performe on thair part quhatsumevir may be to the contentatioun of the Quenis Majestie of England, nocht being in the self prejudiciall to the King oure Soverane Lordis estait, quhilk thai profess to be dearer unto thame than ather thair lyffis or landis. Nochtwithstanding, gif it sall seame to hir Majestie that the conference of any twa, thre, or four of the nobill men thame selffis, with sic utheris hir Majesteis subjectis as it may pleis hir name, may find out ony thing tending to this end, the nobilitie and states abonewrittin ar glaidlie content that thai meit at ony place convenient upoun the Bordour to satisfie hir Majesties desire in that behalf ; and aggreit and condiscendit that my Lord Regentis Grace sould wryte and send answer to the Quenis Majestie of England in this forme with sum trusty servand of his awin.

Mr. Johnne Wod.

The quhilk day, in presence of my Lord Regentis Grace, the Lordis of Secreit Counsall, and utheris of the nobilitie and estaittis abonewrittin, Maister Johnne Wod, ane of the Senatouris of our Soverane Lordis College of Justice, having exponit and declarit the forme of his procedingis and negociatioun with the Quenis Majestie of England and hir Counsall, according to the directionis and instructionis gevin and send him be my Lord Regentis Grace, continewalie sen the said Maister Johnne wes first employit in that charge and service to the day and dait heirof;—my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall and utheris of the nobilitie and estaittis abonespecifiit, eftir gude avisement and dew consideratioun of the circumstances of the saidis procedingis and negociatioun.—Findis and declaris that the said Maister Johnne hes trewlie honestlie and diligentlie performit and dischargeit his charge and devoir in the materis committit to his credit, and exonerit him thairof; and ordanit ane note and act to be maid of thair said declaratioun ad perpetuam rei memoriam.

Answeris gevin be my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall and utheris of the nobilitie and estaittis assemblit at the conventioun in Perth, the xxix day of Julii, the yeir of God $j^{m}v^{c}lxix$ yeris, to certane articles directit frome the Generall Assemble of the Kirk.

Answeris to the Kirk.

Anent the Act maid in the Generall Assemble, concerning the assignationis of the ministeris stipendis. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsall and utheris of the nobilitie and estaittis assemblit at this present Conventioun, ordanis the assignationis to be put in forme, and thaireftir to be presentit to the Chekker, to be sene and considerit be the Lordis auditouris thairof, to the effect that the ordour being fund gude and ressonabill be thame, and sic of the Kirk as sal happin to be present with thame, provisionis may thaireftir be maid and exped in particular thairupoun, according to the meaning of the said Act; providing that the commissaris or procuratouris of the Kirk at the said Chekker present the names of the haill Kirkis in Scotland, and how mony ministeris ar presentlie thairat, to the end it may be knawin quhat Kirk ar presentlie providit and quhat Kirk destitute and desolat of ministratioun; as also haif the ordour perfyte how thai wald the ministeris sould be payit be the thridis or utherwayis, and haif all writtis in reddines quhilk may cleir doubtis and further resolutioun.

Anent the article desyring that the manssis and glebis may be gevin to the ministeris for thair residence at the Kirkis, and that the law thairupoun may be maid cleir that it may tak executioun; and in likewyis concerning the reparatioun of the Kirk. My Lord Regentis Grace, with avise foirsaid, promittis that he sall caus four, thre, or twa godlie discreit and wyse men, within the boundis of everie superintendentis charge, pas

with the Superintendent or Commissionar within that cuntre or province and visiit the manssis and glebis of all the Kirkis within the same, to the effect thai may report to my Lord Regentis Grace and Lordis foirsaidis quhat is the particular quantitie of every manse and gleib; quhome be the same is presentlie occupiit and inhabit; and be quhat rycht and titill. As alsua how mekill thai think sufficient for the ludgeing and commoditie of everie minister or redar; and gif thai may, to appoint the minister or redar with the possessour of the manse and gleib; and as thai do, to report; upoun quhais report his Grace sall hald hand to se the Kirk and ministeris presentlie put in possessioun of sa mekill of the saidis manssis and glebis as salbe thocht necessar be the saidis Superintendentis and Visitouris for the ludgeing and commoditie of the Minister or Redar as said is, quhair thair is na titillis to impede the same; and in caise the same titillis of the law be reduceable or may be declarit null, his Grace sall hald hand to se justice ministrat thairupoun with expeditioun; and quhair the mater standis in termis that the present possessouris can nocht be removit be ordour of law without ane explanatioun of the Act of Parliament, his Grace sall travell to haif the same Act explanit and maid cleir at the nixt Parliament, to the effect it may tak executioun in all tymes thaireftir; and towart the reparatioun of the Kirkis, his Grace understandis that thair is Actis of the Secreit Counsale sufficient in that behalf alreddy, gif the same salbe put to executioun.

Anent the article desyrand that Superintendentis may be planted throuchout the haill realme as thair is alreddy in sum partis thairof. My Lord Regentis Grace is content that swa be done, the personis being godlie and leirnit.

Anent the article desyrand that the Commissaris may be appointed throuchout the haill realme to cognosce in the caussis of divorcement. My Lord Regentis Grace promittis to tak sufficient ordour in that cuntre be avise of the Lordis of Sessioun in the nixt sitting doun thairof.

Anent the articles desyrand that remeidy may be providit aganis the chopping and changeing of benefices and fewing of the samyn, diminissing of rentallis, setting of lang takkis in defraude of the Kirk; and that all takkis set sen the assumptioun of the thridis may be disanulled, with expres inhibitioun aganis the samyn in tyme cuming. My Lord Regentis Grace ordanis the said article to be weill delaitit and extendit and presentit in the nixt Parliament, quhair the same sal haif ane gude answer and resolutioun quhilk presentlie can nocht be weill done in default of ane speciall and expres law aganis the abuses.

Anent the article desyrand that the jurisdictioun of the Kirk may be separat frome all that is civile. My Lord Regentis Grace ordanis the personis nominat in the Act of Parliament, to convene the tyme of the nixt Chekker, and define and limitat the said jurisdictioun, according to the Word of God and the said Act of Parliament.

Apud Perth, penultimo Julii, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.
Jacobus Comes de Mortoun, Cancellarius.
G. Georgius Comes de Huntlie.
G. Joannes Comes de Atholl.
D. Joannes Comes de Mar.
D. Gilbertus Comes de Cassillis.
D. David Comes de Craufurd.
D. Alexander Comes de Glencarne.
D. Robertus Comes de Buchane.
D. Magister de Marschell.
D. Joannes Magister de Grahame.

Domini.

D. Alexander Dominus Hume.
D. Joannes Dominus Glammis.
D. Alexander Dominus Saltoun.
D. Laurencius Dominus Oliphant.
D. Willelmus Dominus Ruthven.
D. Joannes Dominus Innermeyth.
D. Andreas Dominus Uchiltre.
D. Robertus Dominus Sympill.
Maxwell, young and sayis with the rest.
G. Hugo Dominus Lovett.
D. Patricius Dominus Lindesay.
D. Jacobus Dominus Ogilvy.
D. Allanus Dominus Cathcart.
G. Patricius Dominus Gray.
D. Magister de Sinclair.

Episcopi.

G. Alexander Episcopus Galloway.
D. Episcopus Orchadensis.
D. Episcopus Brechinensis.
D. Episcopus de Ilis.

Abbates et Priores.

D. Commendatarius de Dunfermling.
G. Commendatarius de Coldinghame.
D. Commendatarius de Balmerynoch.
D. Commendatarius de Culross.
D. Kinloss.
G. Pettinweme.
D. Commendatarius Sanct Marie Ile, Thesaurarius.

Commissarii Burgorum.

D. Edinburgh.
D. Striveling.
D. Perth.
D. Dunde.
D. Abirdene.
D. Montroise.
D. Glasgow.
D. Air.
D. Sanctandrois.
D. Innerkething.

Officiarii.

G. Secretarius.
G. Computorum Rotulator.
D. Clericus Registri.
D. Clericus Justiciarie.
D. Advocatus.

Anent the divorce.

The quhilk day, in presence of my Lord Regentis Grace, the Lordis of Secreit Counsall and utheris of the nobilitie and estaittis abonewrittin, comperit the Lord Boyd and producit ane procuratorie subscrivit be the Quene, moder to the King our Soverane, for persewing of ane actioun of

divorce in hir name, aganis James sumtyme Erll Bothuile, requiring that commandiment mycht be gevin to the Commissaris of Edinburgh and utheris to gif summondis at hir instance in the said mater. The said Lord Boyd being removit and his propositioun put in deliberatioun amangis the Lordis of Secreit Counsall, nobilitie and utheris of the States abonewrittin, quhethir thai wald gif my Lord Regentis Grace counsall to gif command to the saidis Commissaris and utheris mentionat in the said procuratory to gif summondis and proceid in the said actioun of divorce upoun that quhilk wes spokin or schawin in writt. The saidis Lordis of Secreit Counsall and utheris of the nobilitie and States abonewrittin votit as is particularlie abone noted at thair heidis; that is to say the personis noted with D. denyit to gif his Grace counsall to gif ony sic commandiment upoun that quhilk wes spokin and produceit in writt. And the utheris personis markit with G. grantit and gaif counsall to his Grace to gif commandiment as wes desyrit; and the Thesaurare tuke instrumentis upoun the granting and geving of counsall of the saidis personis to command the Commissaris to proceid, allegeand the same to be prejudiciall to our Soverane Lord and his authoritie.

Apud Perth, primo Augusti, anno, etc. lxix.

Erl of Huntlie.

My Lord Regentis Grace appointis the xx day of August instant to the Erll of Huntly to gif his answer to the complaintis presentit aganis him at Abirdene to the Lairdis of Dun, Pittarro, and Provest of Abirdene, quhilkis salbe present at Abirdene to ressave the saidis answeris, and to accept the decisioun of the materis upoun thame the said day. And farder, my Lord Regent with avise of the Lordis of Secreit Counsall declaris and testifiis, that nowther the said Erll of Huntly nor yit the partiis complenaris ar in mora, or hes the wyte that the materis presentlie ar nocht discussit and decidit; and that the Erll of Huntly is content to byde at the pointis of his obligatioun as is within contenit.

Donald Gormeson Makkenye.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit thir partiis underwrittin, and desyrit this decreit arbitrall to be actit and registrat in the bukis of Secreit Counsall to haif the strenth of ane Act and decreit thairof; quhilk desire being thocht ressonabill, his Grace, with avise of the saidis Lordis, decernis the samyn decreit to be actit and registrat in the saidis bukis to haif the strenth of ane act and decreit of the Lordis of Secreit Counsall and executoriallis to pas thairupoun in forme as efferis; of the quhilk decreit the tennour followis: At Perth, the first day of August the yeir of God j^{m}v^{c}lxix yeris, the variances, contraversiis, debaittis, depredationis, murthouris, slauchteris, heirschippis, and all utheris committit and standing in questioun betuix Donald Gormeson of Sky, his freindis servandis tenentis and dependentis on that ane part; and Coline M^{c}Kenye of Kintaill, Johnne M^{c}Canye of Garloch and the remanent his kin freindis servandis and dependentis on that uther part; being referrit and compromittit in the persoun of ane nobill

and michtie lord, James Erll of Murray Lord Abirnethie, Regent to our Soverane Lord his realme and liegis, personalie acceptand the samyn in presens of the saidis partiis, his Grace havand certane of the Secreit Counsale and Sessioun present with him; and at lenth advisand and consultand with the enormiteis and offenssis committit be ather of thame, and willing to reduce the saidis partiis to thair pristine amytie freindschip and kyndnes, bayth for thair awin weillis and the commoun weill and publict commoditie of the cuntre and our Soverane Lordis liegis thairabout evill handillit and oppressit; decernis decretis delivers and for finall sentence and laude arbitrall pronunceis. That ather of the saidis partiis takand the burding on thame for thame thair kin freindis servandis and partakaris, sall forgif bury extinct and forgett, all maner of slauchteris, heirschippis, spulyeis, depredationis, fyre rasingis, dampnages, injureis, distructionis and heirschippis, committit be thame or ony of thair causing and command in ony tymes bigane befoir the dait heirof; lyke as ather of the saidis partiis be thir presentis consentis thairto, avowis and confirmis the samyn; and sall entir in reconsiliatioun freindschip and amytie ilkane with utheris, remane and abyde thairin in all tymes cuming, according to the dewitie of Goddis servandis and thair Princes dewtifull subjectis, lawis of God and man. And in speciall decernis and ordanis the said Donald to caus Rory M^cAllan alias Nevyernauch, and all utheris the said Donaldis kin freindis servandis and partakaris, desist and ceise fra all troubling molesting harming or invasioun of the said Lard of Garlauchis landis rowmes possessionis tenentis servandis and gudis in ony tymes cuming, and suffer him and thame peciabillie brouke and joise the samyn in all tymes cuming as thair heretage at thair plesour; and upoun the same part in caise the said Rory Nevyernauch will nocht obey stand and abyde at the decreit, the said Donald sall lyke as in that caise be thir presentis dischargeis him self of the said Rorie; and nather support ayde nor gif him ony maner of manteinance, nor suffer ony of his freindis servandis tenentis landis or boundis ressave or gif him help or residence in ony sort, bot expell and hald him of the same and invaid and persew him at thair uttirmest, as thai sall answer to my Lord Regentis Grace upoun thair dewitie and obedience. And on the uther part decernis and ordanis Coline M^cCainye of Kintaill, to caus Torquile M^cCloide Connelauch and all utheris his freindis servandis and partakaris desist and ceise fra all troubling harmyng molesting or invasioun of the said Donald Gormesoun his landis rowmes possessionis tenentis servandis and gudis in ony tyme cuming; and suffer him and thame peciabillie brouke joise and use the samyn in all tymes cuming as his heretage and kyndlie rowmes, conforme to his rychttis and titillis thairof. And in caise the said Torquill M'Claude will nocht obey stand and abyde at this decreit, the said Coline sall, lyke as in that caise be thir presentis hes dischargeit him of the said Torquill, and sall nowther gif him releif ayde support nor ony maner of manteinance or favour, nor suffer ony of his freindis servandis tenentis landis nor boundis ressave nor suffer him remane thairin, bot persew invade and

expell him furth of the samyn at all tymes as occasioun beis offerit. And attour, in caise ony slauchteris murthouris or heirschippis beis committit be ony of the saidis partiis freindis tenentis or dependentis by the partiis foirsaidis awin avise and command—in that caise the partie grevit sall complene to the uther and desire reformatioun assythment and amendis; and gif he refeussis, sall nocht revenge and seik satisfactioun be his awin force and power; bot seik the same be the ordinar coursis of justice and lawis of this realme quhairunto ather partie be thir presentis, as thai ar of dewitie obleist, restrictis thame; secludand and dischargeand all uther meane and way of revenge and amendis takand. And in caise, as God forbid, ony of the saidis partiis, thair freindis servandis tenentis and dependaris failye thairin or dois in contrair heirof,—in that caise my Lord Regentis Grace will and pronunceis him to be plane and oppin inemy to the partie failyeand, and will defend assist and manteine the partie grevit at his uttirmaist; and als declaris in that caise all heirschippis crymes slauchteris fyre rasingis and utheris offencis abone dischargeit and tane away be this present compromit salbe agane walkynnit and restorit in the same place thai wer befoir the making heirof, to be persewit and followit be the partie offendit siclyke and in the samyn maner and conditioun in all respectis as gif this present decreit had nevir bene maid nor gevin. And heirto bayth the saidis partiis takand the burding on thame as said is, bindis and obleissis thame and thair successouris; and for the mair securitie my Lord Regentis Grace of thair consent decernis this present decreit to be insert and registrat in the bukis of Secreit Counsall and to haif the strenth of ane decreit of the Lordis thairof and executoriallis to pas thairupoun in forme as efferis. In witnes quhairof, my Lord Regentis Grace and the saidis partiis, in takin of thair consent heirto, hes subscrivit this present decreit with thair handis, day yeir and place foirsaidis: befoir thir witnesses: Johne Erll of Atholl Lord Balvany, Patrik Lord Lindesay of the Byres, Sir Johnne Bellenden of Auchnowle knycht Justice Clerk, Maister James Halieburtoun Provest of Dunde, and James Murray brother to the Laird of Polmais, with utheris diverse. Sic subscribitur. James Regent. Coline M°Cainye of Kintaill. Johnne M°Cainye of Garloch, with my hand at the pen led be the notar underwrittin at my command becaus I can nocht wryte. Ita est, Joannes Henrysoun notarius publicus, de mandato dictorum Donaldi et Colini scriberi nescientium.

Castell of Dumbertane.

Forsamekill as in respect of the lang keping and withhalding of the Castell of Dunbartane in tressonabill maner aganis oure Soverane Lord and his authoritie be Johnne Lord Flemyng and his complices, rebellis and at the horne; my Lord Regentis Grace and Lordis of Secreit Counsale, na wyis mynding ony langar to suffer thair proude contempt, bot to extend the force of our said Soverane Lordis power aganis the said castell for recovering thairof, hes appointit certane nowmer of men of weir to ly at the same quhilkis aucht to be assistit be our Soverane Lordis obedient subjectis in the cuntreis adjacent. Thairfoir ordanis lettres to be direct, chargeing all

and sindry our Soverane Lordis liegis, landit men inhabitantis of the Sherefdomes of Renfrew, Dumbartane and sevin parrochynnis of the Lennox that is within Strivelingschyre, be oppin proclamatioun at the marcat croces of Striveling, Dunbartane, and Renfrew, that thai convene with Alexander Erll of Glencarne and Robert Lord Sympill, lieutenentis in the west partis of this realme, conjunctlie or severalie, at Dunbartane the day of August instant, and stent and contribute every man according to the avale of thair landis for the sustentatioun and furnissing of fourty men sufficientlie bodin in feir of weir with lang wappynnis, to ly and accumpany the men of weir at the said castell during the space of thre monethis eftir the aucht day of August instant; and that the saidis fourty men be reddy to attend on thair charge and directioun the said aucht day. As alsua to command and charge the Provestis, Baillies, Counsalis and communities of the burrowis and townis of Glasgow, Air, and Irwing, to concur and convene togidder at Dunbartane the day of August instant, and thair stent and contribute for furnissing and rigging furth of ane schip or pynnage with xl men hagbuttaris and convenient munitioun and provisioun to ly in the Firth foranent the said castell, that all provisioun be the sey may be obstructit thairfra; and that the said schip be furth and reddy to this effect, acowterit as efferis, to remane for the space of thre monethis eftir the said aucht day of August, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, to denunce the dissobeyaris rebellis and put thame to the horne, and to escheit, etc.

Apud Sanctandrois, ix die mensis Augusti, anno, etc. lxix°.

Oistlair. Cuke. The quhilk day, Williame Moncreiff youngar of that Ilk become actit and obleist for Sir Robert Oistlair, that Maister George Cuke salbe harmeles and skaythles of the said Sir Robert and all that he may lett be way of deid in tyme cuming, and that the said Sir Robert sall na wayis molest nor troubill the said Maister George heireftir utherwayis than be ordour of law and justice, under the pane of five hundrith merkis; and presentlie the said Sir Robert acknawlegeit his offence maid to the said Maister George; and the said Maister George forgaif him the same; and bayth the partiis wer content to stand in amytie freindschip and kyndnes heireftir; and the said Sir Robert obleist him to releve the said Williame of the said souertie and of all pane and dangear that he may incur thairthrow. Sic subscribitur. Williame Moncreiff of that Ilk. Robert Oistlair with my hand.

Apud Sanctandrois, xvii die mensis Augusti, anno, etc. lxix°.

Greif. Andro Greif citienar of Sanctandrois become souertie and lawborrowis that Andro Cowpar cannonar in Dunde salbe harmeles and skaythles of Henry Cairnis, citienar of Sanctandrois, and all that he may let, bot as law will, but fraude or gyle, under the pane of twa hundrith merkis.

Henry Cairnis become souertie and lawburrowis for Andro Cairnis servand to the said Henry, that the said Andro Greif salbe harmeles and skaythles of him and all that he may let, bot as law will, under the pane of ane hundrith pundis, and the said Henry obleist him likewyis to releif the said Andro Greif of the said cautioun. Cairnis.

Apud Striveling, xxii Augusti, anno, etc. lxix.

Sederunt—

Jacobus Dominus Regens. Willelmus Magister de Marschell.
Joannes Comes de Mar. Allanus Dominus Cathcart.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsall, understanding that thair hes bene lang contraversy betuix Johnne Menteith of West Kerse and Robert Bruce of Clakmannane and thair predecessouris, anent the rycht and privilege of halding the fair of Clakmannane; for remeid quhairof and eschewing of the troubill and inconvenient that thairthrow may occur heireftir, bayth the partiis being present.—My Lord Regentis Grace, with avise of the saidis Lordis, dischargeis bayth the saidis partiis of all halding of the saidis fairis in tyme cuming, and of making of gaddering or convocatioun for that effect, ay and quhill it be decydit be ordour of law and justice quhilk of thame hes best rycht thairto; and ordanis lettres to be direct to officiaris of armes, shereffis in that part, chargeing thame to mak publicatioun heirof at the marcat croce of Clakmannan and utheris places neidfull; and to command and charge all our Soverane Lordis liegis that nane of thame tak upoun hand to put on armour, or mak convocatioun with ather of the saidis partiis for the caus abonewrittin; certifeing thame that failyeis, thay salbe callit at particular diettis thairfoir and puneist with all rigour, conforme to the lawis of this realme; gevand and committand power and commissioun in the menetyme to the saidis officiaris of armes to proclame and hald the said fair in oure Soverane Lordis name this present yeir and in all tyme cuming, ay and quhill the mater be decydit be ordour of law and justice betuix the saidis partiis without prejudice of ather of thair titillis or rychtis thairto. Fair of Clakmannan.

Anent oure Soverane Lordis lettres purchest at the instance of James Forester of Corstorphin, makand mentioun; that quhair he obtenit ane decreit befoir the Commissaris of the burgh of Edinburgh aganis James Wynrame in Gogarmylne, Nicoll Laurestoun, and certane utheris thair nychtbouris and occupiaris of the toun and landis of Ovir Gogar quhais teind schaves pertenis to the said James as undoutit takkisman of the samyn,—decerning and ordaning thame and ilkane of thame to pay to him certane teind schaves; and specialie the said James Winrame to pay to the said complenar as takkisman foirsaid certane teind schaves; quhairupoun he hes ressavit the Commissaris precept, chargeing the said James Winrame and remanent personis contenit in the said decreit to mak him payment of thair teind schaves conforme thairto within xv dayis nixteftir Corstor Winrame.

thai wer chargeit, under the pane of poinding of thair reddiest gudis and geir thairfoir, as the said Commissaris precept execute upoun the xvi day of Januare last bipast in the self at lenth beris. And be ressoun the saidis personis continewalie dissobeyit, James Falconar messinger executor of the said precept, upoun the fyft day of August instant, past to the landis of Gogarmylne, and thair serchit and socht the said James Winrames gudis and geir, quhair the said messenger apprehendit in his possessioun certane nolt and scheip, poindit and apprysit the same upoun the ground of the saidis landis, and thair offerit thame instantlie to the said James, being personalie present, for the sowme thai wer apprysit for, and to diffeis thairin samekill as the superplus wes gif ony wer, quha than refusit the same; and thairfoir the said officiar brocht and convoyit the saidis comprysit gudis to the said complenaris park besyde his place in Corstorphin, and thairin enterit the samyn to remane at the gerse quhill he mycht have easelie transportit thame to the croce of the burgh of Edinburgh for making of penny thairof, conforme to the Act of Parliament. Nochttheles, Williame Lauder of Haltoun, Williame Dalmahoy of that Ilk, Alexander Wardlaw of Curryhill, James Somerville of Humby, Patrik Somervell his brother in Hirdmestoun, and George Spens in Auldlistoun, with thair complices to the nowmer of ane hundrith horsmen and sextene hagbuttaris in maner of convocatioun of our Soverane Lordis liegis, bodin with all sort of wappynnis invasive, upoun the morne thaireftir, being the sext day of the said moneth about the sone rysing, come to the said park and place quhair the saidis apprysit gudis wer in the possessioun and keping of the said officiar and his servandis, and within the said complenaris propir landis and heretage neir to his mansioun and principall hous of Corstorphin; and violentlie, be force, reft spulyeit and tuke away the saidis gudis with thame, dang and hurt the said officiaris servandis, and he followit on thame to knaw the Lard of Haltonis awin mynd quha said to the said officiar he wald avow the awaytaking of thame and wald nocht deny it, accuse him thairfoir quha wald, as his executioun schawin befoir my Lord Regent and Lordis of Secreit Counsale beris; quhairthrow nocht onelie is the decreit of ane ordinar juge eftir the samyn be obtenit be lang proces stoppit in executioun thairof, and our said Soverane Lord quha sould manteine the samyn mokkit and vilipendit; bot the said complenar, in the taking of the saidis apprysit gudis away sa neir his place grettumlie dishonorit, being abill anewch be him self his servandis and freindis to haif stayit the samyn, gif he hopit nocht for the zeill my said Lord Regent beris to justice, wald put sufficient ordour and dew punisement for sic contempt and offence. And anent the charge gevin to the said Williame Lawder of Haltoun, Williame Dalmahoy of that Ilk, Alexander Wardlaw of Curryhill, James Somervile of Humby, Patrik Somervile his brother in Hirdmestoun, and George Spens in Auldlistoun, to rander and bring agane the gudis abonewrittin to the ground that the samyn wes takin fra, fra the officiar foirsaid, and deliver the samyn to him, to the effect he may proceid in poinding and apprysing of the saidis gudis ac-

cording to the tennour of the saidis lettres direct thairupoun within xlviii houris nixt eftir the charge. And als anent the charge gevin to the saidis personis, to compeir personalie befoir my said Lord Regent and Lordis of Secreit Counsall at ane certane day, to answer upoun the contempt abonespecifiit, and to underly sic ordour and directioun as sould be appointit for eschewing of forder troubill and inquietnes in the cuntre, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit, lettres sould be direct to put thame to the horne, as at mair lenth is contenit in the saidis lettres, executioun and indorsatioun thairof. The mater being callit upoun a copy of the saidis lettres presentit be the said Williame Lawder, and he and the utheris personis abonespecifiit callit with him comperand personalie, and being examinat and inquirit upoun the said inobedience and attemptat. My Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, eftir consideratioun of the qualitie of the offence, ordanis and commandis the saidis personis to rander and bring agane the gudis abonewrittin fra the ground that the samyn wes takin fra, and deliver the same to the officiar foirsaid, to the effect abone specifiit; and ay and quhill the samyn wer performit, ordanit, commandit and chargeit the said Williame Lawder of Haltoun, to remane in ward within the burgh of Striveling, and on na wayis to eschaip nor eschew furth of the samyn, as he will answer at his uttirmest charge and perrell.

Anent the charge gevin to Hary Davidsoun, Williame Blakburne, pretendit baillies of the burgh of Innerkething, Johnne Swyntoun, Hary Swyntoun, James Scott of , Andro Scott, Johnne Lawder, Johnne Broun flescheour, Sir James Chalmer clerk, Johnne Broun in the Ferre, David Scott of Spensirfeild indwellaris of the said burgh, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day, to answer to sic thingis as sould be laid to thair charge; comperit the saidis personis, and in presence of my said Lord Regent and Lordis of Secreit Counsale, James Hendirsoun of Fordell presentit the supplicatioun following quhairof the tennour followis: My Lord Regent, unto your Grace and Lordis of Secreit Counsale, humelie menis and schawis, I, your servitour, James Hendirsoun of Fordell; that quhair I am infeft Provest of the burgh of Innerkething heretablie, and hes bene in possessioun of using of the samyn thir diverse yeris bigane lyke as I am yit and nocht lauchfullie dischargeit nor my infeftment reduceit; nochtwithstanding thair is sindry inhabitantis of the said burgh that allutirlie refusis to obey me as Provest in thai thingis quhilkis concernis justice and the commoun weill of the samyn; and in speciall Williame Blakburne quha wes chosin Baillie at Michaelmes last bipast; and albeit be the auld use and consuetude of the said burgh ane honest man namyt Hew Murray being chosin ane of the Baillies thairof be the said Baillie, and ane uther Baillie being chosin be the Communitie of the samyn; nochttheles, about the feist of Pasche last bipast, the uther Baillie, with ane part of the communitie, by all ordour

Innerkething.

deprivit the said Hew, stoppand him to use his office, without ony offence committit be him, or without ony command askit of me be quhome he wes electit thairto, and chosit ane uther in his place namyt Hary Davidsoun, expres contrair my infeftment and lovabill use of the said burgh; and attour, the saidis inhabitantis being chargeit be our Soverane Lordis lettres to answer and obey me thair Provest in all lesum effaris, and specialie in the executioun of justice and commoun caus of the said burgh, and being opinlie callit to the tolbuyth dur to that effect, comperit certane of the saidis inhabitantis, and nocht onelie refusit and dissassentit to the premissis, bot als, eftir I had removit fra the said tolbuyth, brak up the durris thairof at thair awin hand, and swa nocht onelie dissobeyit our Soverane Lordis lettres, bot in contempt thairof did that wes in thame to raise tumultis and cummer within the samyn, quhilk will nocht faill gif your Grace and Lordships put nocht remeid thairto. Heirfoir I beseik your Grace and Lordships to have cõsideratioun of the premissis, and sen the saidis inhabitantis hes alreddy dissobeyit our Soverane Lordis lettres, and thairthrow contempnit his Majesteis authoritie, swa that now thair restis na thing bot his power to be extendit, that the saidis inhabitantis may be compellit to answer and obey to me in the said office of Provestrie, conforme to my infeftment, and thai to be puneist for thair dissobedience maid to me in maner foirsaid, according to justice; and your Grace and Lordships answer heirupoun maist humelie I beseik.

James Hendirsoun of Fordell askit instrumentis that the saidis personis of Innerkething grantit that thai had chosin ane uther Provest, and that he wes in possessioun.

My Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis the copy of the said James Hendirsonis complaint to be deliverit to the saidis inhabitantis of Innerkething, and ordanis thame to answer to the same upoun the xxv day of August instant.

Craig. The quhilk day Maister Thomas Craig Justice depute being callit in presence of my Lord Regentis Grace and Lordis of Secreit Counsall, for letting Johnne Mosman writtar rebell and at the horne to libertie, being deliverit in the said Thomas handis to have bene kepit in ward quhill he had satisfiit the command of our Soverane Lordis lettres in the four formes obtenit aganis the said Johnne, Maister Johnne Spens, and Robert Craig burges of Edinburgh, as cautionaris for James sumtyme Erll Bothuile, for non payment of the yeirlie dewiteis of Sanct Marie Kirk of the Lewis to Sir George Gray, George Ross, and James Castellaw, Personis and Vicaris thairof; the ressonis and allegationis of the said Maister Thomas Craig being hard and understand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis and commandis the said Maister Thomas Craig to tak, apprehend and present the said Johnne Mosman to ane of the Baillies of Edinburgh, and he being presentit, ordanis ane maser or uther officiar of armes to charge the said Baillie to quhome the said Johne salbe presentit, to put him in ward within the tolbuyth of the

Vicaris of Sanct Marie kirk.

said burgh of Edinburgh, thair to remane upoun his awin expenssis ay and quhill he haif fulfillit the command of the saidis lettres and be relaxit fra the said proces of horne, as the said Maister Thomas wald answer upoun his dewitie and executioun of his office.

Apud Striveling, xxiiii Augusti, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.	Episcopus Galloway.
Joannes Comes de Mar.	Commendatarius Dunfermling.
Allanus Dominus Cathcart.	Commendatarius Balmerinoch.
Willelmus Magister de Marschell.	Magister Henricus Balnaves.
Willelmus Magister de Glencarne.	Thesaurarius.

Cautio Haltoun.

The quhilk day, James Sandelandis of Calder and Johnne Cokburne of Ormistoun become souerteis that the gudis intromettit with be Williame Lawder of Haltoun and his complices, quhilkis wer poindit fra James Winrame in Gogarmylne, salbe brocht agane to the place thai wer takin fra and deliverit to the officiar, conforme to my Lord Regentis decreit, upoun Friday nixt the xxvi day of August instant.

Decreit contrair Bukclewch.

The quhilk day, Sir Walter Scot of Branxholme knycht being oftymes callit be vertew of oure Soverane Lordis lettres, to entir and present Gawin Ellott of Fallinesche, Williame Ellot of Gorrumberry alias Archeis Will, and Sym Ellot of Dodburne, and James Gledstanis of Coklaw, being oftymes callit to entir and present Archibald Ellott in Corresyke befoir my Lord Regentis Grace and Lordis of Secreit Counsall, to underly sic tryall as sould be appointit for the crymes and offenssis of the quhilkis the saidis personis ar delaitit; ilk ane of the saidis personis under the pane of ane thowsand pundis money of this realme, according to the actis maid in the bukis of Secreit Counsall and befoir the Wardane thairupoun; with certificatioun to the saidis souerteis and thai failyeit, thay sould be decernit and adjugeit to pay the saidis panis, according to the tennour of the saidis actis; and lettres sould be direct to poind and appryise thair reddiest gudis and geir thairfoir, lyke as at mair lenth is contenit in the saidis lettres. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, in respect of the absence and noct comperance of the saidis personis, decernis and adjugeis the saidis souerteis respective to pay the saidis panis, viz., for ilkane of the saidis Gawin Ellott, Williame Ellot, Sym Ellot, and Archibald Ellott the sowme of ane thowsand pundis money of this realme; and ordanis lettres to be direct, to arrest, appryise, compell, poind, and distrenye the said Sir Walter Scott of Branxholme knycht and James Gledstanis of Coklaw, thair landis and guidis; and failyeing of thair movabill gudis, to appryise thair landis, eftir the forme of the Act of Parliament, to the avale of the sowmes and panis abonespecifiit respective, and mak oure Soverane Lord and his Thesaurare in his name to be payit thairof according to justice.

Apud Striveling, xxv Augusti, anno, etc. lxix°.

Sederunt—Domini ut in die predicto.

Fordell. Innerkething. In the caus persewit be James Hendirsoun of Fordell aganis the inhabitantis of Innerkething, comperit bayth the partiis; and the saidis inhabitantis produceit thair defenssis in writt, togidder with ane Act of the said James Hendirsonis electioun, and ane decreit and precept of the said James deposing; and sic lyke the said James produceit his heretable infeftment of the said Provestry.

My Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, assignis the xxvii day of August instant to the said James Hendirsoun to say aganes the saidis answeris, and deliverit thame to him to that effect.

Apud Striveling, xxvii Augusti, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.	Alexander Episcopus Galloway.
Joannes Comes de Mar.	Commendatarius Dunfermling.
Alexander Comes de Glencarne.	Commendatarius Balmerinoch.
Robertus Dominus Sympill.	Thesaurarius.
Allanus Dominus Cathcart.	Clericus Registri.
Willelmus Magister de Marschell.	

Fordell. Innerkething. Anent the actioun and caus persewit be James Hendirsoun of Fordell aganis the inhabitantis of Innerkething, contenit in the said James supplicatioun and complaint, makand mentioun; that quhair he is infeft Provest of the burgh of Innerkething heretable, and hes bene in possessioun of using of the samyn thir diverse yeris bigane, lyke as he is yit, and nocht lauchfullie dischargeit nor his infeftment reduceit; nochtwithstanding thair is sindrie inhabitantis of the said burgh that allutirlie refuissis to obey the said James as Provest in thai thingis quhilkis concernis justice and the commoun weill of the samyn; and in speciall, Williame Blakburne quha wes chosin Baillie at Michaelmes last bipast; and albeit be the auld use and consuetude of the said burgh ane honest man namit Hew Murray being chosin ane of the Baillies thairof be the said James, and ane uther Baillie being chosin be the communitie of the samyn; nochttheles about the feist of Pasche last bipast, the uther Baillie, with ane part of the Communitie, by all ordour, deprivit the said Hew, stoppand him to use his office, without ony offence committit be him, or without ony command askit of him be quhome he wes electit thairto; and chesit ane uther in his place namyt Hary Davidsoun, expres contrair the said James infeftment and lovabill use of the said burgh. And attour, the saidis inhabitantis being chargeit be our Soverane Lordis lettres, to answer and obey the said James thair Provest in all lesum effaris, and specialie in executioun of justice and commoun caus of the said burgh; and being opinlie callit to the tolbuyth dur to that effect.—Comperit certane of the saidis inhabitantis, and nocht onelie refusit and dissassentit to the premissis, bot als eftir he

had removit fra the said tolbuyth brak up the durris thairof at thair awin hand, and swa nocht onelie dissobeyit our Soverane Lordis lettres, bot in contempt thairof did that wes in thame to raise tumult and cummer within the samyn, quhilk will nocht faill gif my Lord Regentis Grace and Lordis of Secreit Counsall put nocht remeid thairto ; requiring thairfoir—sen the saidis inhabitantis hes alreddy dissobeyit our Soverane Lordis lettres, and thairthrow contempnit his Majesteis authoritie, swa that now thair restis na thing bot his power to be extendit,—that the saidis inhabitantis may be compellit to answer to the said James in the said office of Provestry, conforme to his infeftment, and thai to be puneist for thair dissobedience maid to him in maner foirsaid, lyke as at mair lenth is contenit in the said supplicatioun. Bayth the personis comperand personalie, thair rychtis, ressonis, and allegationis being hard, sene and understand to my Lord Regentis Grace and Lordis of Secreit Counsall, and thai ryplie avysit thairwith; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, remittis the said mater to be decydit be the Lordis of Counsall and Sessioun ; and in the menetyme dischargeis the said James Hendirsoun and James Mowbray chosin Provest be the saidis inhabitantis ; and als the said Hew Murray and Hary Davidsoun ; of all using and exerceing of the offices of Provestry and Baillieschip of the said burgh in tyme cuming, ay and quhill it be decydit be the saidis Lordis of Counsall and Sessioun, quha hes the undoutit rycht of the said Provestry and power to elect the Baillies of the said burgh ; and that the said Williame Blakburne remane and continew onelie Baillie of the said burgh quhill the decisioun of the said contraversy be the saidis Lordis of Sessioun.

Apud Striveling, xxviii Augusti, anno, etc. lxix°.

Proclamatioun for the Raid in Liddisdaill.

The quhilk day, my Lord Regentis Grace, with avise, etc., ordanis lettres to be direct to command and charge all and sindry our Soverane Lordis liegis betuix lx and xvi yeris, and utheris fensabill personis, alsweill dwellland to burgh as to land, within Regalitie as Rialtie, within the boundis of the Sherefdomes of Striveling (the sevin kirkis within the Lennox except), Linlythquow, Edinburgh principall, and within Constabularie of Hadingtoun, Berwik, Roxburgh, Selkirk, Peblis, Lanark, Drumfreis, Wigtoun, Air, Stewartreis of Annandirdaill and Kirkcudbrycht, and Baillieris of Kyle, Carrik, and Cunynghame, that thai, with xx dayis victualis and palyeonis meit my Lord Regent or the Lieutenent to be appointit to that effect, at Hawik, upoun the sext of October, and fra thyne to pas furthwart, and to remane and attend during the said space of xx dayis, under the pane of tinsall of lyff, landis, and gudis.

Apud Streviling, xxix Augusti, anno, etc. lxix°.

Suspension of lettres upoun Dalzell.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsall suspendis the lettres past under his Graces subscriptioun and our Soverane

Lordis signet aganis Robert Dalyell of that Ilk, anent the bringing and presenting of Grissell Bruce the spous of Johnne Murray of Strowa, befoir my said Lord Regent and Lordis of Secreit Counsall this day, becaus it wes cleirlie understand to his Grace and the saidis Lordis that the said Grissell wes nocht in the houshald or cumpany of the said Robert Dalyell the tyme of the said charge; and als in respect that the said Grissell comperit personalie reddy to answer to the thingis wes to be laid to hir charge; and decernis the effect of the saidis lettres to ceise in tyme cuming.

Anent the assege of Dunbartane.

Forsamekill as the Castell of Dunbartane being stuffit and lang tyme withhaldin aganis our Soverane Lord and his authoritie be Johnne Lord Flemyng and his complices, his Hienes rebellis and at the horne; his Majestie, with avise and consent of his dearest cousing James Erll of Murray Lord Abirnethie Regent to his Hienes his realme and liegis, and Lordis of his Secreit Counsall, gaif the charge and commandiment of the inclosing of the said Castell and restraining of the personis being thairin, fra thair accustumat reif, heirschip, and depredatioun of our Soverane Lordis gude and loving subjectis, to Alexander Erll of Glencarne and Robert Lord Sympill lieutenentis in the West; and thai finding the mater nocht to proceid in sa formall and gude ordour as thai wald have wissit and as the wecht and consequence thairof requiris, and willing to reforme the samyn heireftir, hes in presence of my Lord Regentis Grace and Lordis of Secreit Counsale foirsaidis, aggreit and condiscendit to observe and keip the ordour following in the executioun of the charge committit to thame; that is to say, the said Alexander Erll of Glencarne sall remane and continew in his awin hous of Findlestoun or Bischoptoun, and at all occasionis sall command the haill inhabitantis of the Sherefdome of Renfrew to assist him, and sall command and employ the suddartis maid out and furneist be the townis of Glasgow, Air, and Irwing, and alsua the threttie futemen furneist and sustenit be the taxt of the Sherefdome and barony of Renfrew, under the capitanis that my Lord Sympill hes appointit to thame; that is to say, Robert Houstoun and Serjand Steill, providing that in caise my Lord Sympill haif necessarlie to do with the service of the said Serjand Steill, my Lord of Glencarne sall permit him to pas to my Lord Sympill at ony tyme he requiris him, the said Lord Sympill namand and appointand ane uther persoun to supple the said Serjand Steillis place. And on the uther part my Lord Sempill sall remane and continew in the toun of Dunbartane or forth of Dunglas, and at all occasionis sall command and employ the haill inhabitantis of the Sherefdome of Dunbartane, with the inhabitantis of the sevin parrochynnis of Strivelingschyre that ar within the Lenox, and sall alsua command and employ the twa cumpanyis of futemen under the charge of Capitane Murray and Capitane Halieburtoun, togidder with the threttie futemen furneist and sustenit be the taxt of the Sherefdome of Dunbartane, and sevin parrochynnis foirsaidis, under the capitanis that my Lord of Glencarne hes appointit to thame; thay ar to say, James Lindesay and Patrik

Makcawlay. Farther, it is aggreit and condiscendit that my Lord of Glencarne, or sic as he sall appoint, sall uptak the said taxatioun within the Sherefdome of Dunbartane and sevin parrochynnis abonewrittin, and sall mak payment to the saidis threttie futemen serving under the commandiment of my said Lord Sympill, lyke as he on the uther part, or sic as he plesis appoint, sall uptak the said taxatioun within the Sherefdome of Renfrew, and mak payment to the saidis threttie futemen serving under my Lord of Glencarne of thair appointit wages during the haill tyme that thai ar ordanit to abyde and remane for keping and inclosing of the said Castell. Sic subscribitur. Alexander Erll of Glencarne. Robert Lord Sympill.

Dischargeing of the boittis of Glasgow.

The quhilk day, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis lettres to be direct, to pas to the marcat croces of Glasgow, Renfrew, Dunbartan, Irwing, Air, and utheris places neidfull, that nane of thame tak upoun hand to pas with thair boittis to the fischeing or utherwayis doun the watter of Clyde, or cum up the same in ony sort for quhatsumevir caus or occasioun, or ony wayis resort towart the Castell of Dunbartane with thair boittis be the space of mylis (except sic boittis as the Lieutenentis in ane voce sall find gude to hald on the watter for our Soverane Lordis service allanerly) under the pane of deid, and escheting of the boittis with the gudis being thairin, and all the remanent gudis of the personis being within the same, or ony wayis pertening to the awnaris of the saidis gudis for thair contemptioun. And in caise thai or ony of thame violattis or contravenis the said ordinance and proclamatioun, oure Soverane Lord, with avise of his said dearest cousing and Regent, and Lordis of Secreit Counsall, ordanis, commandis and gevis power to the said Lieutenentis, conjunctlie and severalie, and the men of weir serving our Soverane Lord attending upoun the said Castell, to tak and apprehend the saidis boittis, with the personis and gudis being thairin, and dispone upoun the saidis boittis and gudis at thair plesour to thair behuif for thair laubouris, and keip the saidis personis being thairin quhill the said pane of deid may be execute upoun thame for thair demeritis; for the quhilkis the saidis lieutenentis, nor personis executouris of the said ordinance in our Soverane Lordis name in maner foirsaid, sall incur na skayth nor dangear in thair personis, landis or gudis, nor sall nocht be callit nor accusit thairfoir criminalie nor civilie be ony maner of way in tyme cuming, exonerand and dischargeand thame of the samyn simpliciter for evir.

Apud Striveling, penultimo Augusti, anno, etc. lxix°.

Gawin Ellott obleist him.

The quhilk day, Gawin Ellot of Skelfhill obleist him to entir to my Lord Regentis Grace, quhair evir he sal happin to be for the tyme within Scotland, upoun aucht dayis warning to be maid to the said Gawin personalie

or at his dwelling place, to underly sic ordour and directioun as salbe imput to him for gude ordour in the cuntre, under the pane of ane thowsand pundis.

Blakwod producit the Register buke of Dunblane.

The quhilk day, Sir Williame Blakwod produceit the register buke of Dunblane, and thairfoir the Lordis findis that he hes satisfiit the commandiment of the lettres direct aganis him.

Apud Striveling, ultimo Augusti, anno, etc. lxix°.

Charge on Sanct Colme for Ellottis.

The quhilk day, forsamekill as my Lord Regentis Grace and Lordis of Secreit Counsall, understanding that Robert Ellot alias callit Clementis Hob in Gorumbery, and Archibald Ellot alias callit Arche Kene, being callit in presence of my Lord Regentis Grace and Lordis of Secreit Counsall, thay wer ordanit to pas and entir thair persoun in ward within the castell of Down in Menteith, and to find souertie in the bukis of adjornall that thai sould nocht eschaip nor eschew furth of the samyn quhill thai wer fred and relevit, ilk ane under the pane of fyve hundrith pundis; according to the quhilk thai fand James Stewart of Down knycht souertie for thame actit in the bukis of Secreit Counsall under the panis foirsaidis, as the saidis Actis beris. Nevirtheles the saidis personis hes nocht onlie brokin the said ward and past furth of the samyn unrelevit be our Soverane Lord and the said Regent, bot als hes riddin in thiftuous maner aganis our Soverane Lordis trew subjectis, quhairthrow the said James souertie foirsaid hes incurrit the saidis panis. Thairfoir ordanis lettres to be direct to charge the said James Stewart to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at Striveling or quhair it sal happin thame to be for the tyme, upoun the thrid day nixt eftir he be chargeit thairto, to heir him be decernit as souertie foirsaid, to haif incurrit the saidis panis; and thairfoir lettres to be direct for poinding and apprysing his reddiest landis and gudis for the same, eftir the forme of the Act of Parliament; or ellis to allege ane ressonabill caus quhy the samyn sould nocht be done; with certificatioun to him and he failye, thay will decerne in maner foirsaid.

Taxatioun for the assege of Dunbartane.

Forsamekill as, for inclosing of the castell of Dunbartane and restraning of the personis rebellis being thairin fra thair accustumat reiff, heirschip and depredatioun of our Soverane Lordis gude and loving subjectis, Alexander Erll of Glencarne, and Robert Lord Sympill, lieutenentis to our said Soverane Lord in the west partis of this realme, being direct be speciall command and commissioun of our Soverane Lord, with avise of my Lord Regent and Lordis of Secreit Counsall, and to tak ordour with the Baronis and Gentilmen, inhabitantis of the Sherefdomes of Renfrew and Dunbartane, togidder with the sevin kirkis of Striveling schyre within the Lenox, and als with the burrowis and townis of Glasgow, Air, Irwing, and Dunbartane, quhilkis commonlie sustenis greittast harme and skayth be the

inhabitantis of the said castell, how a certane ordinar force of futemen mycht be maid and sustenit to remane and continew in the partis and boundis ewest our said castell alsweill be sey as land, besydis the men of weir send and appointit be my Lord Regentis Grace.—It is thocht convenient that thair be ane taxatioun of nyne schilling of everie pund land of auld extent, alsweill spritualitie as temporalitie, upliftit at thre termis, viz., everie moneth thre schillingis, begynning the first termis payment upoun the first day of August instant; and sua furth monethlie upoun the first day of everie moneth during the space of thre monethis eftir the said first day of August instant; as alsua that the saidis townis furneis and sustene certane hagbuttaris, to remane and serve during the said space to the effect abonewrittin; in payment of the quhilk taxatioun grantit and ordanit to be upliftit for sa gude ane occasioun, the personis detbund thairto ar slaw and delayis, quhairthrow the purpois begun sall apparandlie tak na effect gif thai be nocht constrenit be our Soverane Lordis authoritie to thair dewitie. Quhairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, allowand and findand gude the ordour alreddy takin be the saidis Lieutenentis be speciall commandiment and commissioun of our Soverane Lord in maner foirsaid, thairfoir ordanis lettres to be direct to the Sheriffis of Renfrew, Dunbartane, and Striveling, and to officiaris of armes, Sheriffis in that part, chargeing thame to pas command and charge, all and sindry Erllis, Lordis, Baronis and fre tenentis within the boundis of the saidis Sherefdomes of Renfrew and Dunbartane, and sevin parrochynnis of Striveling schyre within the boundis of the Lenox,—that thai and ilkane of thame thankfullie content, pay and deliver the said sowme of nyne schillingis of everie pund land of auld extent, at the termis and in maner particularlie befoir writtin, within xlviii houris nixt eftir the first day of every ane of the saidis monethis, under the pane of rebellioun and putting of thame to the horne. And gif thai failye thairin, the saidis xlviii houris being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.; or in caise the personis detbund to pay the said taxt dwellis outwith the saidis Sherefdomes, or obstinatlie refuissis to pay the said taxatioun according to the stent roll, and wilfullie pas to the horne thairfoir—that the saidis officiares of armes arreist appryise compell poind and distrenye the reddiest gudis and geir being upoun the ground of the saidis landis, to the avale and quantitie of the taxationn thairof, and mak the said Collectouris to be payit of the same for payment of the saidis futemen; and for the same effect, that the officiaris, executouris of the saidis lettres, use the lyke executioun aganis all subwassellis, ladiis of terce, lyverentaris, conjunct fearis and utheris inferiour heretabill possessouris, for releif of the Kingis immediat tenentis, according to the rait of the landis and possessionis quhilkis thai occupy; and siclyke to command and charge the Provest and Baillies of the saidis townis of Glasgow, Air, and Irwing, to pay to the said Alexander Erll of Glencarne or sic as he sall appoint, the taxatioun and stent appointit to be payit be thame for sustening of the saidis hagbuttaris at the termis

particularlie abone specifiit under the said pane of rebellioun and putting of thame to the horne; and in caise thai failye, to denunce thame rebellis and put thame to the horne, and to escheit, etc.; and for thair releif, to command and charge all and sindry Burgessis and inhabitantis of the said townis and burrowis to mak payment of the said taxatioun, ilkane for thair awin part respective, to the Provest and Baillies of the toun quhair thai dwell, or sic collectour as thai appoint to the ressait thairof, within xxiiii houris nixt eftir thai be chargeit eftir ilk terme, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis xxiiii houris being bipast, to denunce thame rebellis and put thame to the horne, and escheit and inbring all thair movabill gudis to our Soverane Lordis use for thair contemptioun.

Apud Striveling, primo Septembris, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.	Commendatarius Balmerinoch.
Jacobus Comes de Mortoun.	Magister de Marschell,
Alexander Comes de Glencarne.	Magister de Grahame.
Joannes Comes de Mar.	Episcopus Galloway.
Robertus Dominus Sympill.	Clericus Registri.
Allanus Dominus Cathcart.	Balnaves.
Commendatarius Dunfermling.	

Lettres producit upoun the Lord Seytoun.

The said day, lettres of horning wer deliverit to the Thesaurare upoun George Lord Seytoun at the instance of Maister Williame Hammiltoun persoun of Cambuslayng; the Thesaurare is ordanit to tak up the escheit and to call for tinsell of the lyverent.

Cautioun for Johnne Nory of Boquhoppill.

The quhilk day, James Muschett of Tolgarth become cautioun and souertie for Johnne Nory of Boquhoppill that he, his wyff, servandis, nor na utheris that he may let, sall molest or troubill Johnne Calder in the peciabill possessioun of all and haill the half mylne of Gourdy, with half ane aker of land for the yeirlie payment and dewitie contenit in the tak maid be the said Johnne Nory to the said Johnne Calder, his airis, executouris and assignayis thairupoun, eftir the forme and tennour of the decreit of the Stewart of Menteith and his deputtis gevin aganis the said Johnne Nory utherwyis nor law and justice will permit, under the pane of ii^c merkis; and als the said James become souertie for the said Johnne Nory, that the said Johnne sall entir Thomas Calder to the possessioun of all and haill the uther half of the said mylne of Gurdy, with the uther half of the said aker of land for the yeirlie payment and dewitie contenit in the said tak; and the said Thomas Calder being enterit thairto, that the said Johnne Nory, his wyff or servandis, nor na utheris that he may lett, sall molest or troubill the said Thomas Calder in the peciabill possessioun of the said half mylne and half aker of land utherwyis than law and justice will, under the said pane of twa hundrith merkis; and the said

Johnne Nory obleist him and his airis, to warrand releif and keip the said James Muschet and his airis skaythles of the said souertie, and of all pane and danger that he sal happin to sustene thairthrow. Sic subscritur. James Muschet of Tolgarth. Johnne Nory with my hand tuicheing the pen of the notar underwrittin. Ita est Joannes Morisoun notarius publicus, ex speciali mandato dicti Joannis scribere nescientis manu sua.

Apud Striveling, tertio die mensis Septembris, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.	Episcopus de Galloway.
Jacobus Comes de Mortoun.	Abbas de Cupro.
Joannes Comes de Atholl.	Thesaurarius.
Joannes Comes de Mar.	Secretarius.
Alexander Comes de Glencarne.	Computorum Rotulator.
Magister de Marschell.	Clericus Registri.
Magister de Grahame.	Clericus Justiciarie.
Robertus Dominus Sympill.	Commendatarius Dunfermling.
Allanus Dominus Cathcart.	Commendatarius Balmerinoch.

Decreit aganis the Commendatar of St. Colmis Inche.

Anent the charge execute be vertew of oure Soverane Lordis lettres aganis James Stewart of Doun knycht, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to heir him be decernit, as souertie for Robert Ellot alias Clementis Hob in Gorrumbery and Archibald Ellott alias Arche Kene, to have incurrit the pane of fyve hundrith pundis for ilkane of the saidis personis, be ressoun thai had brokin thair ward and past furth of the same unrevelit, lyke as at mair lenth is contenit in the saidis lettres. The said James comperand personalie, his ressonis and allegationis hard and understand;—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, decernis the said James as souertie foirsaid to have incurrit the saidis panis; and thairfoir ordanis lettres to be direct for poinding and apprysing of his reddiest landis and gudis for the samyn, eftir the forme of the Act of Parliament, becaus the said James comperand schew na ressonabill caus in the contrair; nochtwithstanding, my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, suspendis all executioun to pas upoun this Act and decreit quhill the xii day of September instant inclusive, to the effect the said James may do diligence for presenting of the saidis personis befoir my Lord Regentis Grace; in quhilk caise thai being presentit, he salbe fre and dischargeit of the saidis panis, or utherwayis the said Act to tak executioun as efferis.

Apud Striveling, sexto Septembris, anno, etc. lxix°.

Sederunt—Domini ut in die predicto.

Anent the carying of artalliery to Dumbertane.

Forsamekill as it is thocht convenient be my Lord Regentis Grace and Lordis of Secreit Counsall, that thair be ane moyen and ane falconer convoyit towart Dunbartane for furthsetting of the Kingis Majesteis service

in thai partis, and is ressonabill according to the ancient and accustumat ordour that the said artaillierie with the furniteur thairof be careit and convoyit be the inhabitantis of ilk schyre that the samyn sal happin to pas throw, thairfoir ordanis lettres to be direct, chargeing the Sheriffis of Striveling and Dunbartane and thair deputtis respective, to caus sa mony horssis to be brocht to the part quhair the said artaillierie is or sal happin to be, and to carie the samyn to sic partis or places as salbe appointit quhill the same be at Dunbartane, as the saidis Shereffis and thair deputtis will answer to our Soverane Lord at thair uttirmest charge and perrell; and for releif of the saidis Shereffis, that thai charge sic personis within the boundis of thair jurisdictionis as thai think meit to bring sa mony horssis as thai sall gif in roll, to sic places and tymes as thai at thair discretioun sall appoint; and fra the same, to convoy the said artaillierie for sic space as the saidis shereffis and thair deputtis sall particularlie limitate and appoint, under the pane of rebellioun and putting of thame to the horne; and in caise thai failye to observe the appointit tyme place and directioun, to denunce thame rebellis and put thame to the horne, and to escheit and inbring all thair movabill gudis to our Soverane Lordis use for thair contemptioun.

Souertie for Ardincapill.

The quhilk day, Johnne Cunynghame of Drumquhassill become souertie and lawborrowis for Walter M^cCawlay of Ardincapill, that Johnne Nory of Boquhoppill salbe harmeles and skaythles of the said Walter and all that he may let in tyme cuming, but fraud or gyle, bot as law will, under the pane of fyve hundrith markis.

Souertie for Caddellis.

The quhilk day, Walter Makcawlay of Ardincapill become cautioun and souertie for Johnne and Williame Caddellis at the mylne of Sessintuly, that thai sall pay to Johnne Nory of Boquhoppill the yeirlie dewitie contenit in the tak maid be him to thame alsweill of the yeris bigane restand awand and unpayit as in tyme cuming.

Apud Striveling, septimo Septembris, anno, etc. lxix^o.

Souertie for Blakwod.

The quhilk day, Robert Forester youngar Baillie and Burges of Striveling, and James Striveling alsua Burges of Striveling, become cautionaris for Williame Blakwod, that he sall nocht abuse the Register Buke of Dunblane, presentit be the said Williame befoir my Lord Regentis Grace and Lordis of Secreit Counsall, and that the same buke salbe reddy to all personis havand interesse to ony thing contenit thairintill as apertenis; and the said Williame obleist him to releif the saidis Robert Forester and Johnne Striveling of the said souertie, and of all pane and dangeare that thai sal happin to sustene thairthrow.

Souertie for David Ramsay.

The quhilk day, George Drummond of Blair become souertie and lawborrowis for David Ramsay, brother germane to George Ramsay of Banff, that Sir Hew Curry persoun of Esse sould be harmeles and skaythles of

the said David Ramsay and all that he may let in tyme cuming, but fraude or gyle, bot as law will, under the pane of v^{c} markis.

Surety for Boquhoppill.

Forsamekill as upoun the first day of September instant, James Muschet of Tolgarth become souertie for Johnne Nory of Boquhoppill for the sowme contenit in the Act quhilkis sensyne hes bene in a part violat; nevirtheles, my Lord Regentis Grace and Lordis of Secreit Counsall, understanding the same violatioun nocht to proceid altogidder in the said Johnne Noryis default, hes ordanit him of new to find cautioun in maner following; and instantlie in presence of his Grace and Lordis foirsaidis, the said James Muschet of Tolgarth become souertie for the said Johnne Nory, that the haill pointis and claussis of the said first Act salbe observit and kepit, under the pane of v^{c} merkis; and the said Johnne Norry obleist him to releve the said James of the said Act, and of all pane and danger that he sall happin to incur thairthrow.

Apud Striveling, nono die mensis Septembris, anno, etc. lxix^{o}.

Souertie for Sir James Balfour.

The quhilk day, Sir Williame Scott of Balwery, Sir James Striveling of Keir, knychtis, Alexander Forester of Garden, and David Seytoun of Perbrothe, become actit and obleist cautionaris and souerteis, conjunctlie and severalie, for Sir James Balfour of Pettindreych knycht, President of the College of Justice, that he sall entir his persoun in ward within the Castell of Sanctandrois, and remane in ward thairin, and na wyis eschaip nor eschew furth of the samyn quhill he be fred be my Lord Regentis Grace; and als that he, during his remaning and abyding within the said Castell, sal mak na practize within the utheris wardouris being within the said castell, or with England or ony utheris to the hurt and prejudice of the Kingis Majestie our Soverane Lord and present state of the governament of his Hienes realme established be Parliament during his Majesties minoritie, under the pane of twenty thousand pundis. And the said Sir James and Michaell Balfour of Burlye become actit and oblissit, conjunctlie and severaly, to relleise the cautioners abonewrittin and ilkane of thame of the said souertie, and of all pane and danger that thai sal happin to sustene thairthrow; and that the said Sir James sall entir in ward within the said castell betuix the dait heirof and Twisday at evin nix to cum, the xiii day of September instant. Sic subscribitur. Sir Williame Scott. James Striveling of Keir. Alexander Forester of Garden. David Setoun of Perbroth. Michaell Balfour of Burley. Sir J. Balfoure.

Apud Edinburgh, die decimo mensis Septembris, anno, etc. lxix^{o}.

Vicaris of Sanct Marie Kirk of Lowis.

Anent the complent maid to my Lord Regentis Grace and Lordis of Secreit Counsell be George Gray, George Ross, and James Castellaw, makand mentioun—That quhair Maister Johnne Spens, Robert Craig, burgessis of Edinburgh, and Johne Mosman writter, become cautioun and

souerty to the saidis compliners as Personis and Vicaris of Sanct Marie Kirk of Lowis for James sumtyme Erle Bothuill, for payment of ane yeirly dewitie of the personage and vicarage of the said Kirk, conforme to ane contract actit and registrat in the bukis of Counsell, quhairupoun the saidis compliners obtenit letteres in all the foure formes, charging the saidis cautioners to fulfill the said contract. And becaus thai failyeit thairin war ordourlie denuncit oure Soverane Lordis rebellis, and put to the horne; and becaus thai contempnandlie continewit thairin, the saidis compliners menit thame to the Lordis of Counsall and to thair deliverance obtenit letters of captioun for taking and apprehending of the saidis personis. And the said Johnne Mosman being tane and apprehendit be the baillies of the said burgh of Edinburgh and wardit be thame; notwithstanding, Maister Thomas Craig, alleging him to be Justice Deput, tuke the said Johne Mosman of the saidis baillies handis and put him to libertie, quhairupoun the saidis compliners menit thame to my Lord Regentis Grace and Lordis of Secreit Counsell and obtenit thair ordinance, ordaning the said Maister Thomas to entir the said Johne in ward upoun the tent day of August last bipast, as the said ordinance beris. And siclike the said Maister Thomas being callit in presens of my said Lord Regentis Grace and Lordis of Secreit Counsell, thairupoun promissit to entir the said Johne the same day. And notwithstanding, he not onelie aganis the tennoure of the said ordinance bot als contrair his promeis maid to my said Lord Regentis Grace and Lordis foirsaidis, refusis to entir the said Johne, as diverse instrumentis takin thairupoun at mair lenth proportis. And swa be this maner of dealing not onely is oure Soverane Lordis authoritie, the lawis and justice of this realme, mokkit and contempnit, bot als the saidis complinaris evill handillit and put to greif, expenssis, and povertie. And anent the charge gevin to the said Maister Thomas Craig, to compeir befoir my Lord Regent and Lordis of Secreit Counsale foirsaidis this day, to answer to this complent, and to heir and se ordoure takin anent the same as appertenis, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit letters sould be direct to put him to the horne, as at mair lenth is contenit in the said complaint.—Baith the parties comperand personalie, thair ressonis and allegationis hard and understand to the saidis Lordis and thai ryplie advisit thairwith; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis the said Maister Thomas Craig to entir and present the said Johnne Mosman within the Tolbuyth of Edinburgh betuix the dait heirof and Twysday at evin nix to cum; or failyeing thairof, decernis lettres to be direct, chargeing the said Maister Thomas to pay the sowme to the saidis complenaris, for non payment of the quhilk the said Johnne Mosman is denunceit rebell at thair instance within sex dayis nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, to denunce him rebell and put him to the horne, and to escheit and inbring all his movabill gudis to oure Soverane Lordis use for his contemptioun.

Mr. Thomas Craig.

Anent our Soverane Lordis lettres purchest be Andro and Williame Kerris, makand mentioun; that quhair upoun ane decreit obtenit be thame befoir the Lordis of Counsall and Sessioun aganis Williame Lord Hay of Yeistir thai purchest lettres of poinding; and eftir he had committit aucht sindry deforcementis nochtwithstanding, upoun the xix day of Julii last bipast, Alexander Strang, maser, with concurrence of Barry messinger, past to the place of Bothanis and landis of Yeistir, and thair apprehendit certane movabill gudis to have bene poindit and apprysit; quhilkis, eftir thai wer intromettit with, the said Williame Lord Hay of Yeistir, in propir persoun with his houshald men, maisterfullie of new deforceit our Soverane Lordis officiaris foirsaidis in the executioun of thair offices, as thair indorsationis at mair lenth proportis; and upoun the first and secund deforcementis committit be the said Lord, the saidis complenaris persewit him and obtenit ane decreit aganis him. In the menetyme he componis with the Thesaurare and gettis ane gift of his awin escheit for the sowme of thre hundrith merkis, quhilkis, seing his compositioun wes sa easie reregairdit nocht how oft he committit deforcementis knawing that quhen he wes newlie persewit thairfoir uther thre hundrith merkis wald be his warrand; and swa thinkand to drift the saidis complenaris of ony executioun of the saidis decreit and lettres past thairupoun. Attour, thai obtenit diverse writtingis subscrivit with the said Lordis hand, promittand to mak thame payment at diverse particular dayis, under the pane of perjurie and infamy, yit could thai nevir get payment; and swa nather regardand our said Soverane Lordis authoritie, his awin honour, bot lychtleand and vilipendand thairthrow the samyn, and gevand evill exempill to utheris to do the lyke gif this be sufferit to remane unpuneist. And anent the charge gevin to the said Williame Lord Hay of Yeistir, to repone and present the foirsaidis gudis specifiit in the said officiaris indorsatioun befoir thame in the same rowme and place quhair thai wer takin fra thame, to the effect thai mycht have quietlie usit furth thair ordour of proceding to the comprysing of the samyn within xxiiii houris nixt eftir thai wer chargeit be the officiaris thairto; and als that he compeir personalie befoir our Soverane Lordis dearest cousing James Erll of Murray Lord Abirnethie, Regent to his Hienes, his realme and liegis, and Lordis of Secreit Counsall, at Striveling, or quhair it sal happin thame to be for the tyme, upoun the thrid day nixt eftir the said officiaris charge, and answer upoun his contempt in deforceing of the officiaris abonewrittin be himself and his servandis in his name under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, lettres sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis lettres. The said Andro Ker comperand personalie for himself, and in name and behalf of the said Williame his brother; and the said Williame Lord Hay of Yeistir being oftymes callit and nocht comperand;—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis lettres to be direct, chargeing the said Williame Lord Hay of Yeistir to repone and present the foirsaidis gudis specifiit in

Kerris. Lord Yeistir.

the saidis officiaris indorsatioun befoir thame in the samyn rowme and place thai wer taken fra thame, to the effect thai may quietlie use furth thair ordour of preceding to the comprysing of the samyn, within xxiiii houris nixt eftir he be chargeit be the officiaris thairto; and als that he compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall, at Striveling, or quhair it sal happin thame to be for the tyme, upoun the thrid day nixt eftir he be chargeit thairto; and answer upoun his contempt in deforceing of the officiaris abone mentionat be himself and his servandis in his name, under the pane of rebellioun and putting of him to the horne; and gif he failyeis, to denunce him our Soverane Lordis rebell and put him to the horne, and to escheit, etc.

Apud Edinburgh, duodecimo Septembris, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.
Adamus Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Joannes Commendatarius de Balmerinoch.
Marcus Commendatarius de Newbottill.
Clericus Registri.
Magister Henricus Balnaves de Halhill.

Anent presenting of the kist with evidentis of the Abbacie of Melrose.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secreit Counsall comperit Gilbert Balfour of Westraw and Alexander Balfour of Dene mylne, and obleist thame in maner following. That is to say, that thai sal be present in the burgh of Edinburgh upoun Settirday cum aucht dayis the xxiiii day of September instant; and thair the said Gilbert sall present the kist being in his handis and keping quhilk wes deliverit to him be umquhile Michaell, Commendatare of Melrose, to Williame Dowglas of Lochlevin, fader to James now Commendatare of the said Abbay of Melrose, or to Alexander Commendatare of Culross, Yconimus of the said Abbay of Melrose, or ony utheris in thair name; and the said Alexander Balfour havar, the key of the said kist in his handis deliverit to him be the said umquhile Michaell Commendatare of the said abbay, sall oppin the said kist with the said key, and deliver all the charteris, evidentis, rentallis, registeris and utheris writtingis belanging and concerning the said abbay, frutis, réntis or patrimony thairof to the said Lard of Lochlevin, or to the Yconomus of the said abbay or utheris in thair name upoun sufficient inventour to be maid thairof, and the copy of the same attentiklie subscrivit be the ressavar to be gevin to the saidis Gilbert and Alexander, as alsua to be subscrivit be thame and gevin to the said ressavar; and that the opynning of the said kist and delivering of the saidis charteris, evidentis, rentallis, registeris and utheris writtingis sall alwayis be without prejudice of the said Gilbertis actioun quhatsumevir, that he may have pretend or move, aganis the airis or executouris of the said umquhile Michaell Commendatare of Melrose.

Forsamekill as proclamationis past of befoir be vertew of oure Soverane Lordis lettres, chargeing all and sindry his Majesteis liegis betuix lx and sextene yeris and utheris fensabill personis alsweill dwelland to burgh as to land, within regalitie as rialtie, within the boundis of the sherefdome of Striveling (the sevin kirkis within the Lennox except) Linlythquow, Edinburgh principall and within the constabularie of Hadingtoun, Berwik, Roxburgh, Selkirk, Peblis, Lanark, Drumfreis, Wigtoun, Air, stewartrie of Annandirdaill and Kirkcudbrycht, and Baillieris of Kyle, Carrik, and Cunynghame, that thai, and ilkane of thame, weill bodin in feir of weir, with xx dayis victualls and provisioun eftir thair cuming, and with palyeonis to ly on the feildis, sould have addressit thame, to meit my Lord Regentis Grace or the Lieutenentis to be appointit to that effect, at Hawik upoun the sext day of October nix to cum; and fra thyne to pas furthwart for persute and invasioun of the thevis, tratouris, and rebellious subjectis, inhabitantis of the boundis of the Middill and West Wardaneriis of this realme, and reduceing thame to oure Soverane Lordis debtfull obedience, lykeas at mair lenth is contenit in the proclamatioun direct thairupoun of befoir; nevirtheles, my Lord Regentis Grace and Lordis of Secreit Counsall, taking consideratioun how hurtfull and disadvantageous it salbe to our Soverane Lordis liegis to be convenit to the effect foirsaid, in caise thai haif nocht the full licht of the mone the tyme of thair travell and lying on the feildis, and understanding that the mone will nocht be at the full licht at the said sext day of October, hes thocht thairfoir convenient to prorogat the said day of thair meting at Hawik to the xviii day of the said moneth of October. Thairfoir ordanis lettres to be direct, to mak publicatioun and intimatioun heirof to all oure Soverane Lordis liegis subject to the said proclamatioun, that nane of thame pretend ignorance of the samyn; and to command and charge thame as of befoir, that thai and ilkane of thame, weill bodin in feir of weir, with xx dayis victuallis and provisioun eftir thair cuming, and with palyeonis to ly on the feildis, addres thame to meit my said Lord Regentis Grace, or the Lieutenent to be appointit to that effect, at Hawik upoun the said xviii day of the moneth of October foirsaid, and fra thyne to pas furthwart for persute and invasioun of the saidis thevis, tratouris, and rebellious subjectis, inhabitantis of the boundis abone specifiit, and reduceing thame to oure Soverane Lordis debtfull obedience, under the pane of tinsall of lyff, landis and gudis.

Proclamatioun for Liddisdaill.

Forsamekill as our Soverane Lordis lettres wer direct of befoir, chargeing Robert Lord Sympill ane of his Hienes lieutenentis in the west partis of this realme, to tak and intromet with the place tour and fortalice of Boghall liand within the sherefdome of Renfrew, and to retene and keip the samyn to oure said Soverane Lordis behuif and use, as in the saidis lettres mair largelie is expressit. Sen quhilk tyme my Lord Regentis Grace is certanelie informit that Johnne Flemyng of Boghall, awnar of the said place tour and fortalice, continewis in his wickit and tressonabill attemptat in halding stuffing and keping of his Majesteis Castell of Dunbartane

Charge on Lord Sympill to cast doun Boghall.

aganis his Hienes and his authoritie, dalie and continewalie invading his Graces loving and faythfull subjectis having alwayis supple, furnissing and intelligence be the said hous of Boghall, quhilk is sa ewest to the said Castell of Dunbartane. And be ressoun of oure Soverane Lordis service in furthsetting of his authoritie in diverse utheris partis of the realme, thair may nocht a force be sparit to keip the said place tour and fortalice of Boghall; bot it is thocht meit and convenient that the same be demolishit presentlie and cassin to the ground that na memorie thairof remane; to the effect the said Johnne Flemyng may presentlie persave quhat is and wilbe the frute and recompanse of his rebellioun and tressonabill behaviour aganis oure Soverane Lord and his authoritie. Thairfoir ordanis lettres to be direct to officiaris of armes, sheriffis in that part, to pas, command, and charge the said Robert Lord Sympill lieutenent foirsaid, to pas, with convocatioun of oure Soverane Lordis liegis in weirlike maner, and demolishe, cast doun, and uttirlie distroy and put away the said place, tour, and fortalice of Boghall, and all biggingis, munitionis, plantationis and commoditeis within and about the same as a signe and takin of the said Johnne Flemyingis untrewth, rebellioun, and tressonabill defectioun; for the quhilk, the said Robert Lord Sympill, nor na utheris assistand and takand part with him in executioun of this present ordinance, sall incur ony skayth or dangeare in thair personis landis or gudis, nor sall nocht be callit or accusit for the same criminalie nor civilie be ony maner of way in tyme cuming, nochtwithstanding ony lawis, actis, ordinances, or statutis quhatsumevir maid or to be maid in the contrair or ony panis contenit thairin; exonerand, dischargeand, and relevand the said Lord Sympill and personis assistand and takand part with him for evir.

James Mure. Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsall be James Mure burges of Edinburgh, makand mentioun; that quhair Robert alias Hob Ormistoun, takkisman of the teind schaves of Sauchtounhall wes twa yeris syne or thairby put to the horne and forfaltit, and the escheit of the tak of the saidis teind schaves wes disponit be oure Soverane Lord, with avise of my Lord Regent, to Thomas Cowy, servitour to James Erll of Mortoun; and the said Thomas maid me and Thomas Crystesoun vicar of Yettame assignayis to the saidis teind schaves and takkis thairof during the yeris to ryn contenit thairintill; and be vertew of the said gift and assignatioun thairof thai wer in possessioun of the saidis teind schaves in the yeir of God j^{m}v^{c}lxviii yeris be thame selffis, and yit having takkis to ryn and be utheris in thair name; and thai having undoutit rycht thairto this yeir instant, with inhibitioun servit thairupoun lyke as thai had diverse yeris bigane and yit havand takkis to ryn; and upoun the tent day of September instant thai beand teindand be vertew of thair inhibitioun, thay wer dischargeit to intromet with the saidis teind schaves be command gevin to thame in our Soverane Lordis name be Alexander Forester herauld of armes, and swa at command thai have obedientlie, as thair dewitie wes, obtemperit the said charge; nocht

the les, Adame Commendatare of Halieruidhous be himself and his com- Halieruidhous.
plices intendis to intromet with the saidis teind schaves aganis all ressoun, he havand na rycht thairto, and the saidis James and Thomas Crystesoun havand takkis thairof be vertew of the said gift of escheit and assignatioun of the samyn with possessioun thairof with termis of the samyn to ryn as said is. And anent the charge gevin to the said Commendatare of Halieruidhous, to compeir befoir my Lord Regent and Lordis of Secreit Counsall this day, to answer to the said complaint.—Bayth the partiis comperand personalie, thair rychtis, ressonis, and allegationis being hard and understand to my Lord Regentis Grace and Lordis of Secreit Counsall, and thai ryplie avysit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, dischargeis bayth the saidis partiis of all leding of the saidis teind schaves of this yeir and crope instant, and of all making of convocatioun of oure Soverane Lordis liegis to that effect, and ordanis George Wilkie in Sauchtounhall, to teind, gadder, leid, and place the saidis teind schaves in the stak yaird usit and wount upoun the expenssis of the same; thair to remane unintromettit with be ather of the saidis partiis or ony in thair names, ay and quhill it be decidit be the Lordis of Counsall to quhome the same and titill thairof justlie apertenis.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis Bischop of Orknay.
of Secreit Counsall be ane reverend Fader, Adame Bischop of Orknay, Commendatare of Halieruidhous, and utheris, his fre tenentis and inhabitantis of his Regalitie within the Cannogait, Leith, barony of Brochtoun, and thair pertinentis, nixt adjacent to the burgh of Edinburgh; makand mentioun:—That quhair it is nocht unknawin to my Lord Regentis Grace and Lordis of Secreit Counsall how the said Abbay of Halieruidhous hes had, thir mony and diverse yeris bipast, fre Regalitie within all the townis, baronyis and pertinentis thairof in quatsumevir part of this realme, and hes bene in continewall and peciabill possessioun of the samyn thir mony yeris bipast as said is; quhill laitlie in the moneth of December or thairby last bipast, the said Reverend Fader being with my Lord Regentis Grace in the partis of England, certane of the Baillies of the toun of Edinburgh Baillies of Edinburgh.
come to the Cannogait, and be way of deid, thai being accumpaneit with ane nowmer of the communitie of thair Burgh, brak and kaist doun, senyeis of wyne, expres aganis all ordour, the said Cannogait being ane fre Burgh of Regalitie, and evir in possessioun of selling of wyne for serving of the liegis of the realme; and being humelie requirit be the Baillies and nychtbouris of the said Cannogait that thai wald desist fra thair said way of deid, specialie in respect that it wes nocht unknawin to thame how thair wes proces dependand befoir the Lordis of oure Soveranis Sessioun thairanent, answerit that thai wald knaw na thing of the said proces dependand, but wald execute thair interpryise quhairfoir thai wer then cumin to the Cannogait. And siclike laitlie, becaus the fremen cordinaris of the Cannogait and Leith within the said Regalitie wald nocht contribute with the fremen of thair Burgh, thai maisterfullie and be way of deid reft fra

Andro Purves and Williame Porteous, cordinaris and fre men of the said Burgh of the Cannogait, thair maid schone and utheris waris quhilk thai had to sell in the Monondayis fre marcat of Edinburgh; and siclike laitlie tuke and impresonit certane of the cordinaris dwelland in the said toun of Leyth within the Regalitie foirsaid, and in speciall ane callit David Robertsoun, for the refusing to contribute with thame as said is; and dalie contineuis in thair molestatioun foirsaid of quhatsumevir nychtbouris of craft, alsweill of tailyeouris as smythis and utheris craftismen; and will nocht desist thairfra, howbeit the nychtbouris of the said burgh of the Cannogait and regalitie abonewrittin be on na wayis subject to ony jurisdictioun inferiour under the Prince, except to thair awin Lord and his Baillies. And anent the charge gevin to Williame Littill, Adame Foullartoun, and Alexander Clerk, Baillies of Edinburgh, to compeir befoir his Grace and Lordis of Secreit Counsale this day eftir none, to answer to this complaint; bayth the partiis comperand personalie, thair ressonis and allegationis being hard and understand.—My Lord Regentis Grace and Lordis of Secreit Counsall ordanis and commandis bayth the saidis partiis to desist and ceise fra all attempting of ony thing aganis utheris be violence or way of deid in tyme cuming, bot to persew all thair actionis caussis and contraversiis be ordour of law and justice, under all hieast pane, charge and offence that thai and ilkane of thame may commit and inrin aganis oure Soverane Lord in that behalf.

Apud Kelso, xxviii die mensis Septembris, anno, etc. lxix°.

Caution for sum in Eist Teviotdaill.

The quhilk day, the personis underwrittin fand the souerteis underspecifiit that thai sall entir to my Lord Regentis Grace, he beand in Teviotdaill, upoun xxiiii houris warning; and gif his Grace be in Edinburgh or in utheris partis of the incuntre, upoun sex dayis warning, ilkane under the pane of ane thowsand pundis:

Sym Ellot in Dodburne: plege the Lard of Bukclewch.

Williame Ellot in Gorrumberry: plege Bukclewch.

Gawin Ellot in Skelfhill: plege young Greneheid.

Archibald Ellott in Corresyke: plege Bukclewch and the baroun of Gledstanis.

Arche of Corresyke and Will of Gorrumbery, souertie to releif the Baroun of Gledstanis.

Robert Ellot of the Skelfhill promeist to entir quhen his fader Gawin Ellot salbe requirit.

Apud Kelso, ultimo Septembris, anno, etc. lxix°.

Caution for George Rutherfurde in the Grange and Turnbull in Abbotsroule.

The quhilk day, Andro Commendatare of Jedburgh, Sir Thomas Ker of Fairnyhirst knycht, Sir Nicolas Rutherfurde of Hundoley knycht, and Robert Ker of Wodheid, become actit and obleist cautionaris and souerteis, conjunctlie and severalie, for George Rutherfurde in the Grange and Johne Turnbull in Abbotroull, that the said George sall remain in ward within the Sherefdome of Forfair, and the said Johnne within the Sherefdome of Perth, and on na wayis eschaip nor eschew furth of the samyn quhill thai be fred and relevit be my Lord Regentis Grace; ilk persoun

under the pane of twa thowsand merkis; and that thai sall entir in thair said ward within the space of aucht dayis eftir the dait heirof.

Apud Kelso, tertio Octobris, anno, etc. lxix°.

Caution for Robert Ker Lochtour.

The quhilk day, Johnne Halden of that Ilk, Richard Rutherfurde of Edyarstoun, and Johnne Rutherfurde of Hunthill, become souerteis, conjunctlie and severalie, to entir Robert Ker of Lochtour befoir my Lord Regentis Grace and Lordis of Secreit Counsall at Kelso, or quhair it sal happin his Grace to be for the tyme, upoun settirday nix to cum, the aucht day of October instant, under the pane of twa thousand pundis.

Fairnyhirst promeist to pay the Collectour.

The quhilk day, Sir Thomas Ker of Fairnyhirst knycht, promeist and obleist him in presence of my Lord Regentis Grace to pay the Collectour the sowme awand be the said Thomas within xx dayis.

Caution for Ker of Prymsideloch.

The quhilk day, Sir Walter Ker of Cesfurde knycht, promeist and obleist him as cautionar and souertie for Gilbert Ker of Prymsideloch to pay the sowme clamit to the Collectour within the said space gif he schaw nocht acquittance thairupoun.

Caution for Bedroule.

The quhilk day, Johnne Rutherfurde of Hunthill promeist and obleist him as cautionar and souertie for Thomas Turnbull of Bedroule knycht, to pay the sowme clamit to the Collectour within the said space.

[Johnne Edmonstoun of that Ilk becomes caution for Thomas Ker son of the Laird of Cesfurde.

4th.—Robert Scot of Thirlstane for Watt Scot of Eidschaw.

6th.—Williame Douglas of Bonejedburgh for Williame Ormistoun in Bonejedburgh.]

Apud Kelso, octavo Octobris, anno, etc. lxix°.

Caution for Johnne Sinclair.

The quhilk day, Johnne Hoppringill, servand to Margaret Gordoun, relict of umquhile Johne Hoppringill of Smalhame, become souertie that Johnne Sinclair, sone to Williame Sinclair in Gosfurde, sall present four oxin upoun the ground of the landis of Gulane, quhilkis wer intromettit with be the said Johnne, or four oxin als gude, or utherwayis to satisfie the price of the saidis oxin to George Hume brother to Hume of Coldinghamelaw, and that upoun this day aucht dayis.

Apud Kelso, decimo Octobris, anno, etc. lxix°.

Anent oure Soverane Lordis lettres purchest be Andro and Williame Kerris, makand mentioun; [here is repeated, down to the appearance of Parties, the minute of 10th September, beginning with the same words, p. 29.]

Apud Kelso, xii Octobris, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.	Commendatarius de Coldinghame.
Commendatarius de Newbottill.	Clericus Justiciarie.

Robert Douglas.

In presence of my Lord Regentis Grace and Lordis of Secreit Counsall, comperit Robert Dowglas brother germane to Williame Dowglas of Quhit-

tinghame—donatour to oure Soverane Lord, and havand be gift of his Hienes the escheit gudis, movabill and unmovabill, dettis, takkis, stedingis, cornis, cattell, insicht plenissing, actis, contractis, actionis, obligationis, sowmes of money, gold, silver, cunyeit and uncunyeit, and utheris gudis and geir quhatsumevir quhilkis pertenit to Williame Stewart in Lufnomylne, and now pertening to oure Soverane Lord and fallin and becum in his Hienes handis be ressoun of escheit, throw being of the said Williame denunceit his Majesteis rebell and put to the horne be vertew of his Hienes lettres, for non finding of souertie to underly the law befoir the Justice or his deputtis, for art and part of the slauchter of umquhile Johnne Geddes, servand to ane nobill and michtie Lord, James Erll of Mortoun Lord of Dalkeyth, as at mair lenth is contenit in the saidis lettres of gift,—on the
JohnneSinclair. ane part; and Johnne Sinclair, sone to Williame Sinclair in Gosfurde, for him self and takand the burding upoun him for Alexander Sinclair his
Alexander Stewart. brother, on the uther part; and Alexander Stewart, burges of the Cannogait, on the thrid part,—bayth the saidis Alexander Sinclair and Alexander Stewart allegand thame cessionaris and assignayis to the saidis lettres of gift of the escheit gudis and geir abonewrittin. And thair all the saidis partiis submittit thame for thame selffis,—and the said Johnne Sinclair takand the burding upoun him for his said brother in maner foirsaid,—in amicabill maner, to the jugement and deliverance of my Lord Regentis Grace and Lordis of Secreit Counsall present with him, anent all rycht, claim, titill and interesse that thai and ilkane of thame hes or may pretend to the said gift of escheit or ony thing that may pertene thame thairthrow, to quhome all the saidis partiis rychtis, ressonis and allegationis being hard, sene and understand.—My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, decernis and ordanis that the said Johnne Sinclair for himself, and takand the burding upoun him for the said Alexander Sinclair his brother, sall transfer, lyke as the said Johnne be thir presentis transferris, renunceis and ourgevis in the favour of the said Alexander Stewart, all rycht, titill, interesse and clame of rycht quhilk the said Alexander Sinclair his brother had, hes, or ony wayis may have or clame in and to the saidis lettres of gift of the said escheit; and sall warrand the said assignatioun, translatioun, renunciatioun and ourgeving fra all uther assignationis or uther the said Alexander Sinclairis deid; and the said Alexander Stewart sall content, pay and deliver to the said Johnne Sinclair in name of the said Alexander his brother, the sowme of thretty pundis money of this realme at the feist of Martimes nixtocum; for payment quhairof the said Alexander Stewart hes fund George Murdo, tailyeour, burges of Edinburgh, cautionar and souertie with him conjunctlie and severalie; and forder absolvis, dischargeis and relevis the said Alexander Stewart of all payment of ony sowmes of money to the said Robert Douglas for the assignatioun maid to him of the said gift of escheit, exceptand the sowme of fiftie pundis,—of the haill quhairof fourty pundis be the said Robertis confessioun is ellis payit, and uther ten pund to be payit to him at the terme specifiit in the contract and appointment maid betuix the said Robert Dowglas and Alexander Stewart thairanent; and that becaus

the uther thretty pundis restand of the four scoir pundis, promittit be the said Alexander to have bene payit to the said Robert Douglas, is be this present decreit decernit to be payit to the said Johnne Sinclair in name of the said Alexander Sinclair his brother, for renunciatioun and discharge of the assignatioun maid to the said Alexander, the effect quhairof is transferrit and ourgevin in the persoun of the said Alexander Stewart be this decreit. And siclyke assoilzeis and dischargeis the said Johnne Sinclair of all actioun of spuilye that is or may be intentit aganis him for intromissioun with ony scheip or cornis pertening to the said Williame Stewart be vertew and under pretense of the said escheit, providing that gif ony doubt aryise anent the interpretatioun of ony thing contenit in this decreit, that the interpretatioun thairof be alwayis reservit to my Lord Regentis Grace.

Caution for Dande Hall.

The quhilk day, Mongo Dowglas wes deliverit to Persy Charltoun, servand to Louke Ogill, for the said Loukis bill of scheip, and Johnne Rutherfurde of Hunthill promeist that the said Mongo sall not eschaip.

Caution for Will with the heid.

The quhilk day, Johnne Rutherfurde of Hunthill obleist him to entir Dande Hall in Grundisnuke befoir my Lord Regentis Grace and Lordis of Secreit Counsall, or ellis him self, upoun the xx day of November nixtocum.

The quhilk day, Williame Dowglas of Bonjedburgh tuke instrumentis that he enterit Williame Ormistoun, callit Williame with the Heid, this day; and of new the said Williame Douglas become souertie for the said Williame Ormistoun, that he sall releif the King and Wardane of all attemptattis bigane and to cum, under the pane of ii^{m} li.

Caithnes. Oliphant.

The quhilk day, Maister Clement Litill, procuratour for George Erll of Caithnes, askit instrumentis that Laurence Lord Oliphant grantit that my Lord Erll of Caithnes wald accept na souerteis bot landit men, and als askit instrumentis upoun the productioun of a lettre subscrivit be the said Lord Oliphantis hand.

The said Maister Clement protestit that ony thing done this day sould nocht prejuge my Lord of Caithnes heretabill titill.

Oliphant. Caithnes.

Anent oure Soverane Lordis lettres purchest at the instance of Laurence Lord Oliphant, makand mentioun;—That quhair eftir he had departit fra my Lord Regentis Grace laitlie in the burgh of Invernes, being in our Soverane Lordis service, reparit towart his landis in Caithnes for sic resonabill caussis as he had ado; and upoun the xxviii day of Julii last bipast, he being in the toun of Weik, eftir dennar, passing to the feildis in pastyme convenit; and met him, Andro Keyth in Subister, Williame Suthirland youngar of Clyne, Johnne Suthirland his brother, with certane utheris to the nowmer of xxiiii personis; quhilk Andro eftir he had spokin to the said Lord Oliphant, and presentit to him ane writting of the Maister

of Marschellis—throw alteratioun of wordis fallin betuix him and Maister Thomas Keir, in quhais hous the said Lord Oliphant had immediatlie afoir dynit,—drew ane quhinzear of purpois to invaid the said Maister Thomas, the said Lord Oliphant being standing betuix thame and wald na wayis be mitigat be requeist or fair wordis; bot incontinent the said Andro and his cumpany drew all swerdis, of set purpois as apperit, to invaid the said Lord Oliphant and the personis present with him for the tyme for thair slauchteris, and had nocht faillit to have sched greit blude wer nocht his greitar lenitie and expres inhibitioun gevin to his servandis to desist. Eftir the quhilk, he departing hame to his place of Auldweik eftir he had sowpit, that samyn nycht word come to him that the said Andro and his complices to the nowmer of thre scoir personis, bodin in feir of weir, wer of deliberat mynd to tak the said Maister Thomas furth of his dwelling hous in Weik for forder invasioun; for quhais releif the said Lord Oliphant send certane of his servandis unarmit, quha passing to his hous fand him reddy to pas to bed, and returning the nearest way hame saw the said Andro and his cumpany—of quhilk nowmer sevin bowmen standing in arrayit battell at the marcat croce of Weik—to quhome or thai approcheit be the space of ane pair of buttis, the said Andro, with his complices foirsaidis, but ony speking or motioun, maid schot at the said Lord Oliphantis servandis, and befoir ony swerd wes drawin on ather side, sevin gentilmen, his servandis, wes hurt and mutilat with arrowis; and thaireftir, being sa cruellie invadit, tuke thame to thair defence. In the quhilk combat Johnne Suthirland was slane, and diverse hurt and mutilat as yit in perrell of thair lyffis. Eftir the quhilk the said Andro and his cumpany continewing in thair furie the samyn nycht, committit plane oppressioun upoun his tenentis and servandis, spuilyeing thame of thair haill gudis to greit quantitie. And upoun the morne thaireftir the nynetene day of the said moneth of Julii, nocht onelie come Alexander Suthirland to the said Lord Oliphantis landis and of new did the lyke reif and oppressioun, and led away with him and his army sum of the said Lord Oliphantis servandis and detenis thame captive; bot als the samyn day at xii houris, Johnne Maister of Cathnes, with a greit nowmer of armit men, come and besegeid the said Lord Oliphantis place and castell of Auldweik, his propir persoun being thairin for the tyme, be the space of aucht dayis or thairby nixt thaireftir; quhill at lenth in defalt of viveris, speciallie watter, thai wer constranit for sauftie of thair lyffis to becum in will. And thai being this assegeid, wer be the Erll of Caithnes as Justice of that schyre and his said sone as Depute, chargeit to find souertie to underly the law for the saidis allegeit crymes. For obedience of the quhilkis chargeis the said Lord Oliphant offerit him self souertie for his haill servandis complenit upoun, quhilkis being ressavit offerit diverse responsall landit men souertie for him self quhilkis wer planelie refusit, as attentik instrumentis takin thairupoun beris; nochtwithstanding the quhilk, the said Maister and his haill cumpany continewit still at the said assege and departit nocht thairfra quhill the said Lord Oliphant wes compellit to rander in thair handis thir his servandis, viz., Sir James Layng, Patrik

Ochtirlony, Maister Thomas Keir, Johnne Keir, and Johnne Law messinger, quhome presentlie thai detene captive and intendis to put to the knawlege of ane assyise, albeit the said Erll, Justice foirsaid, nor his deputtis—in respect of thair formar procedingis, declaring thame allutirlie partiall—aucht nocht to be sufferit to proceid in the said mater, bot sould be dischargeit thairof, and the said Lord Oliphantis servandis presentit befoir the Justice Generall and his deputtis, that tryall may be tane and justice ministrat as efferis. And althoch it mycht appeir that the said Erll wer juge competent and unsuspect, as he is nocht, the said Lord Oliphant dar nocht resort in thai boundis for defence of his servandis lyvis, nor seik remeid of the wrangis done to him and thame, in respect that the personis principall authouris and committaris thairof ar his tendir kynnismen, and the said Erll and the said umquhile Johnne Suthirland quha wes slane thrid and ferdis of kin,—in respect that the said umquhile Johnne is sone to Alexander Suthirland, quhilk Alexander is sone to umquhile Kathrene Sinclair dochter to umquhile Sinclair bischop of Caithnes, quha wes brother to umquhile Williame Erll Caithnes grandsire to the said George now Erll of Caithnes—and swa wilbe opinlie, at the leist quietlie, assistit, manteinit and defendit be him as he hes alreddy schawin evident declaratioun. And thairfoir oneles my Lord Regentis Grace and Lordis of Secreit Counsall provyde remeid as sic notorious oppressioun and wrang be puneist, it is nocht possibill to gentilmen to preserve thair lyvis and rowmes in thair boundis. And anent the charge gevin to George Erll of Caithnes, Justice foirsaid, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day, to heir and se the personis tane apprehendit and presentlie captive for the saidis allegit crymes, exemit fra him and his jurisdictioun to the Justice Generall and his Deputtis, and be dischargeit of all proceding aganis thame in tyme cuming for the caussis foirsaidis, and utheris to be proponit and allegeit the saidis day and place; or ellis that the said Erll sould schaw ane ressonabill caus quhy the samyn sould nocht be done; with certificatioun to him and he failyeit, the saidis personis sould be exemit fra him be the saidis Lordis, and he dischargeit of all proceding aganis thame in tymes cuming; and als anent the charge gevin to the said Erll, to superseid all proceding upoun the personis fundin souertie to underly the law for the saidis allegeit crymes the xxiii day of August last bipast, bot that he continewit the samyn unto the last day of October instant, lyke as at mair lenth is contenit in the saidis lettres.—The said Laurence Lord Oliphant comperand personalie, and the said George Erll of Caithnes comperand be Maister Clement Littill his procuratour, the richtis, ressonis and allegationis of bayth the saidis partiis being hard, sene and understand; my Lord Regentis Grace understandis the mater greit and wechtie and he to be solitair, the nobill men and utheris of oure Soverane Lordis Previe Counsall being for the maist part absent; thairfoir my Lord Regentis Grace hes continewit and continewis the mater in the samyn forme force and effect as it is now, but prejudice of party, quhill the day eftir specifiit, and ordanis lettres to be direct of new, chargeing the said

George Erll of Caithnes, Justice foirsaid, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall, at Edinburgh or quhair it sal happin thame to be for the tyme, the xxii day of November nixto-cum; to heir and se the personis tane apprehendit and presentlie captive for the saidis allegeit crymes exemit fra him and his jurisdictioun to the Justice Generall and his Deputtis, and the said Erll dischargeit of all proceding aganis thame in tyme cuming for the caussis foirsaidis, and utheris to be proponit and allegeit the saidis day and place; or ellis that he schaw ane ressonabill caus quhy the samyn sould nocht be done; with certificatioun to him and he failye, the saidis personis salbe exemit fra him be my Lord Regentis Grace and Lordis of Secreit Counsale foirsaidis, and he dischargeit of all proceding aganis thame in tymes cuming. And attour, to command and charge the said George Erll of Caithnes, to superseid all proceding upoun the personis fundin souertie to underly the law for the saidis allegeit crymes, bot that he continew all calling or unlawing of thame or thair souerteis quhill the xii day of the moneth of December nix to cum, dischargeing him of all proceding aganis thame, as alsua of the saidis personis captive in the menetyme quhill the said xii day of Decem-ber nix to cum, without prejudice alwayis of the said Erllis commissioun grantit to him for the effect foirsaid or ony part thairof; and that the officiaris executouris of the saidis lettres deliver ane obligatioun of the said Lord Oliphantis to the said Erll of Caithnes, for the said Lord is becum cautioun for the entre of the saidis personis that fand souertie the said xii day of December.

Apud Kelso, xvii Octobris, anno, etc. lxix°.

Anent the Preistis.

Anent the charge execute be vertew and at command of oure Soverane Lordis lettres aganis Dene James Jamesoun in Dryburgh, Dene Mungo Wilsoun thair, Dene Robert Mylne in Myretoun, Sir James Douglas in Craling, Maister Johnne Oliver in Bedroule, Sir David Turnbull in Mynto, Sir James Williamsoun in Yettame, Sir Robert Wilsoun in Morbottill, Sir Williame Anyslie in Maxtoun, Sir Andro Curry in Bassindane, Sir Johne Blak in Boncle, Sir Hew Hudsoun in Quhitsum, Dene Johnne Lun in Coldinghame, Williame Ormistoun in Nantharne, Sir Patrik Galbrayth in Garvell, Sir Adame Sym in Littill Newtoun, Sir Johne Forret in Swyntoun, Freir Johnne Afflek in Grenelaw, Sir Johnne Broun in Ednem, Dene Johnne Watsoun in Melrose, Sir Andro Wrycht thair, Sir Johnne Ker Vicar of Auld Roxburgh, Maister Williame Johnnestoun in Ancrum;—to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day, to answer to sic thingis as sould be laid to thair charge, under the pane of rebellioun and putting of thame to the horne; and gif thai failyeit thairin, to denunce thame rebellis and put thame to the horne, and to escheit, etc., lyke as at mair lenth is contenit in the saidis lettres, executionis and indorsationis thairof. The saidis Dene James Jamesoun, Dene Mungo Wilsoun, Dene Robert Mylne, Sir Johnne Dowglas, Maister

Johnne Oliver, Sir William Anyslie, Sir Andro Curry, Sir Hew Hudsoun, and Dene Johnne Lun comperand personalie, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, tuke ordour with thame according to thair demeritis; and the saidis Sir David Turnbull, Sir James Williamsoun, Sir Robert Wilsoun, Sir Johnne Blak, and Sir Patrik Galbrayth, being oftymes callit and nocht comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall foirsaidis, ordanis thame to be denunceit our Soverane Lordis rebellis and put to the horne, and all thair movabill gudis escheit and inbrocht to his Hienes use for thair contemptioun. And als ordanit lettres to be direct, chargeing of new the said William Ormistoun in Nanetharne, Sir Adame Smyth in Littill Newtoun, Sir Johnne Forret in Swyntoun, Freir Johnne Afflek in Grenelaw, Sir Johnne Broun in Ednem, Dene James Watsoun in Melrose, Sir Andro Wrycht thair, Sir Johnne Ker vicar of Auld Roxburgh, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun the sext day nixt eftir the charge, to answer to sic thingis as salbe inquirit of thame at thair cuming, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the said sext day being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc., and inbring all thair movabill gudis to oure Soverane Lordis use, for thair contemptioun.

Apud Hawik, xx die mensis Octobris, anno, etc. lxix°.

Gawin Ellott of Fallinesche, Williame Ellott of Gorrumbery, Sym Ellott of Dodburne.

The quhilk day, Williame Lord Borthuik, Sir Walter Scot of Branxholme knycht, James Langlandis of that Ilk, Robert Scot of Thirlstane, and Walter Scott of Eidschaw, ar becum actit and obleist cautionaris and souerteis, conjunctlie and severalie, for Gawin Ellott of Fallinesche, Williame Ellott in Gorumbery, and Sym Ellott in Dodburne, that thai sall entir thair personis in ward within the citie of Sanctandrois within the space of aucht dayis nixt eftir the dait heirof, and on na wayis eschaip nor eschew furth of the said citie quhill my Lord Regentis Grace have takin ordour with thame and that thai be fred and relevit be him, ilk ane of the saidis thre personis under the pane of twa thowsand markis. And the said Sir Walter Scot of Branxholme knycht obleist him to releve the said Williame Lord Borthuik of the said cautioun and of all pane and dangeare that he sal happin to sustene thairthrow.

Wardit in Sanctandrois.

The quhilk day, the saidis Gawin Ellott of Fallinesche, Williame Ellott in Gorrumberry, and Sym Ellot in Dodburne, obleist thame to entir in ward within the citie of Sanctandrois, within aucht dayis eftir the dait heirof; and als that nane of the thevis inhabitantis of Liddisdaill or utheris thevis and brokin men, salbe resset suppliit or furneist be thame, thair tenentis or servandis dwelland on thair landis and rowmes, nor yit with ony thair cornis gudis or geir; bot in caise ony of the saidis thevis and brokin men sal happin to resort throw the boundis landis and rowmes of the saidis Gawin, Williame, and Sym, thair tenentis and servandis being in thair

houssis sall raise the fray schout and birne baillis, alsweill in the outcuming as inpassing of the thevis; and that thair saidis tenentis sall in word and deid assist all trew men in the following of thair gudis, or in the persute of the saidis thevis and brokin men; and sall nocht hinder nor do onything that may be hurtfull to the trew subjectis of this realme; and in caise complaint salbe maid upoun ony of thair saidis tenentis or houshald servandis, thay becum cautionaris and souerteis for thame, to entir to my Lord Regentis Grace, or befoir the Justice and his deputtis, to underly the law for sic crymes as may be laid to thair charge, upoun sex dayis warning; on conditioun that gif thai present not thair tenentis and houshald servandis, thay salbe puneist in thair personis thame selffis, according to the demeritis of thair saidis tenentis and houshald servandis.

Gawin Ellott of Skelf hill.

Gawin Ellott in Skelfhill promeist be his awin hand to entir in Sanctandrois within aucht dayis, and obleist him for his tenentis and servandis in maner abone specifiit.

Apud Hawik, xxi die mensis Octobris, anno, etc. lxix°.

Batysonis.

The quhilk day, Hew Batie callit Alyis Hew, and Johnne Batie callit Johnne the Braid, enterit plegeis to my Lord Regentis Grace for thame selffis, thair sonnis men tenentis servandis and haill surname of Batesonnis, and als in name and behalf of the surnames of Thomsoun and Glendonyng, thair men tenentis and servandis; that thai sall redresse all attemptattis aganis England for tymes bigane and to cum, and all Scottismen offendit to sen the kingis coronatioun, at thair uttir power, be the sicht of my Lord Regentis Grace and Counsall, and for keping of gude rewle and obedience to the lawis in tyme cuming; and thir personis to be interchangeit for uther sufficient plegeis that sall pleis my Lord Regentis Grace. My Lord Maxwell, Maxwell of Tinwell, and Robert Maxwell of Cowhill, obleist thame that the saidis Hew and Johnne sould nocht eschaip nor eschew quhill lauchfull entre be tane of thame.

It is talkit that thir personis, or ony of thame, salbe sufficient to entir for releif of the saidis Hew and Johnne.

David Batie brother to Hew Batie.
Mungois Arthour Batie.
Nicoll Batie of the Scheild.
Nicoll Batie of Carnisgill.
Johnne Baitie in the Yairdis.
Johnne Batie sone to Wat in the Corse.

Johnnis Christie.

The quhilk day, Cristell Armistrang of Barngleis is enterit plege on the conditionis abonewrittin—quhill ane uther sufficient plege be enterit in his place—for himself, his sonnis, men, tenentis, servandis, and for Sym Niniane and Rowy Armistrangis sonnis to the Lard of Mangertoun, Alexander Armistrang of Monkbehirst his brother, his bairnis, tenentis, and servandis and haill personis of the surname of Armistrang and utheris dwelland betuix Cannaby and Langholme, with the rest of the Armistrangis in Ewisdaill of his branche, thair men, bairnis, tenentis and servandis, and the

Armistrangis of Brumeholme and Wauchopdaill, thair bairnis, men, tenentis and servandis. And my Lord Maxwell, Maxwell of Tinwell, and Robert Maxwell of Cowhill obleist thame that the said Cristell sall nocht eschaip quhill lauchfull entre.

Curst Geordie except, quhome the said Cristie sall byrn and put furth and hald furth; quhairunto my Lord Regent hes gevin his full power and commissioun.

Andro Armistrang of the Gyngillis.

The quhilk day, Andro Armistrang of the Gyngillis enterit plege on the conditionis abonewrittin for himself, Thomas Armistrang his brother in Esksdaill, Ekke Armistrang sone to the said Andro, and Willie Armistrang sone to the said Thomas, and utheris thair bairnis, tenentis and servandis, and for the Lard of Mekildaill namyt Littill, his bairnis, tenentis and servandis, and for Niniane Armistrang of the Buss. And my Lord Maxwell, Maxwell of Tinwell, and Robert Maxwell of Cowhill, obleist thame that the said Andro sall nocht eschaip.

Martine Ellot of Braidley.

The quhilk day, Martine Ellot of Braidley is enterit plege on the conditionis abonewrittin for himself and the haill branche of the Reidheuch that dwellis within the Swyris; Ade Ellot callit Cowdais for himself and the haill branches of the Burnheidis and Weschaw; Johnne Ellot of the Park for himself and the haill branche of the Park; elder Will Ellot for himself and his haill branche; Arche Ellot callit Arche Kene for himself and the haill branche of Gorrumberry; and Johnne Ellott of Thirlishoip for himself and haill branche of the Thorlishoip (except Hob Ellot callit the Schawis and his brother, and Will Ellot of the Steill) to entir the first day of November nixtocum in Edinburgh, and na wayis to depart furth of the same quhill lauchfull entre be takin of thame be my Lord Regentis Grace or sum uther in his Graces name, under the panis following: that is to say, Alexander Hume of Manderstoun souertie for Martine Ellot of Braidley, under the pane of twa thowsand merkis; Sir Thomas Turnbull of Bedroule knycht soueretie for Ade Ellott of the Cowdais, under the pane of twa thowsand merkis; Williame Ker of Cesfurde youngar souertie for Johnne Ellot of the Park, under the pane of twa thowsand merkis; Alexander Hume of Manderstoun souertie for elder Will Ellot, under the pane of twa thowsand merkis; Sir Thomas Turnbull of Bedroule knycht souertie for Johnne Ellot of Thorlishoip.

Lance Armistrang [?] of Quhithauch.

The quhilk day, Lancie Elliot of Quhithauch is enterit plege on the conditionis abonewrittin for himself, his branche, men, tenentis and servandis; and to entir in Edinburgh the first day of November nixtocum, ather be himself or his eldest sone; and thair remane quhill lauchfull entre be tane of him; souertie for this, Sir Walter Scott of Branxholme knycht and Andro Ker of Fawdounsyde, conjunctlie and severalie, under the pane of twa thowsand merkis.

Niniane Ellot the Portar of Ewis durris.

The quhilk day, Niniane Ellot, callit the Portar of Ewis durris, is enterit

plege on the conditionis befoir rehersit for him self, his bairnis and haill Ellottis dwelland in Ewisdaill; and to entir in Edinburgh the first day of November, and thair remane quhill lauchfull entre be tane of him.

The quhilk day, Johnne Lord Maxwell, Robert Maxwell of Cowhill, and Maxwell of Tinwald obleist thame to entir ane of the five personis of the Scottis indwellaris of Ewisdaill, to remane as plege on the conditionis befoir rehersit, and that he salbe present in Drumfreis to that effect under the pane of twa thowsand merkis; and my Lord Regentis Grace declarit that the saidis personis sould nocht be persewit be way of deid.

Apud Cannaby in Campis, xxiii Octobris, anno, etc. lxix°.

Niksonis. The quhilk day Martine Ellot of Braidley promeist to my Lord Regentis Grace to entir ane sufficient plege of the Niksonis to his Grace, and quhill the entre of the said plege, that he sall stand as plege for that surname.

Tenentis of Greinhauch under Jony Forster of Kershopfute. The quhilk day, Sir Johnne Forester knycht Lord Wardane of the Midill Marches of England foranent Scotland, become bund for Sym Forester alias Can and his bairnis, Cristie Story of the Hilend, Pate Ellot of the Ryleknow, Will Hirdman at the Sykefute, thair dwelland in Scotland under Jony Forester at Kerssopfute Englisman, that thai salbe obedient to the lawis and releif the King and Wardane as gude subjectis.

It is to be rememberit that Wauch Englisman and hyrd to George Heroun of Chipohais, is takin and haldin presonar to Ekkie Armistrang sone to Andro of the Gyngillis, to be set at libertie.

Will of Kynmonth. The quhilk day, Williame Armistrang in Mortoun Tour, callit Will of Kynmonth, enterit plege on the conditionis mentionat for himself, his brother, thair bairnis, branche, men, tenentis, and servandis. And my Lord Maxwell, Robert Maxwell of Cowhill, and Maxwell of Tinwell, obleist thame conjunctlie and severalie, that the saidis personis sall nocht eschaip quhill lauchfull entre be tane of thame.

Irvingis of Graitno. The quhilk day, Edward Irwing of Kirkpatrick and Watt Irwing of Gratnohill comperand in presens of my Lord Regentis Grace, the said Edward enterit plege for himself the said Watt and thair haill branche of the Irwingis of Gratno—Jok Irwing of the Floshe and Jok Irwing of Steilhill except, quhome thai promeis to hald furth and nocht to suffer thame haif stob or staik within thair boundis, or quhair thai may lett. And my Lord Maxwell, Robert Maxwell of Cowhill, and Maxwell of Tinwald obleist thame conjunctlie and severalie that the saidis personis sall nocht eschaip quhill lauchfull entre be tane of thame.

Lard of Mangertoun. The quhilk day, Archibald Armistrang of Mangertoun enterit him self as plege for him self his brothir, tenentis and servandis; and als for Sym

Armistrang callit Reid Sym, Symon Armistrang callit the Feid, Johnne Armistrang of the Bankheid and utheris of the branche of Mangertoun dwelland in Liddisdaill ;—Johnne Armistrang callit the Lardis Jok, Cristie Armistrang of the Syde, exceptit ;—and als for George Armistrang of Arkiltoun callit Ninianis Geordie. The Lard of Drumlangrig obleist him that the said Laird of Mangertoun sall nocht eschaip quhill lauchfull entre be tane of him. And the said Lard of Mangertoun, Sym Armistrang of the Wodheid callit Reid Sym, and Symon Armistrang callit the Feid obleist thame conjunctlie and severalie to releve the said Lard of Drumlangrig.

Hector Armistrang of Hairlaw.

The quhilk day, Hector Armistrang of the Harlaw enterit Thomas Armistrang his sone as plege on the conditionis afoir rehersit for the said Hector, young Hector Armistrang his sone in Tweddane, Williame Armistrang alsua his sone in Harlaw, Rowy Armistrang and Niniane Armistrang brethir, servandis to the said young Hector, Hob Armistrang in Millangilsyde, Andro Armistrang callit Willis Andro, Rinyeane Armistrang callit Edmondis Rinyeane in Claythleyth and all thair bairnis and servandis. And the said Hector promeist be extensioun of his hand that the said Thomas sould nocht eschaip.

Thireftir Sir Walter Scot of Branxholme knycht obleist him for the said Hector that owther he or Thomas Armistrang his sone salbe in Drumfreis on Sonday nixt, to remane quhill lauchfull entre be tane of thame, under the pane of twa thowsand merkis.

Fugitives of the Hairlaw.

Thir ar the names of the personis of the Harlaw fugitives :—

James Armistrang callit Pawtonis Jame.
Thome Armistrang his brother.
Andro Armistrang sone to George of the Harlaw.
James Armistrang callit Georgis Jame.
Wille Armistrang callit Georgis Will.
George Armistrang callit Georgis Geordie.
Alexander Armistrang callit Georgis Alexander.

Pawtoun Armistrang callit Georgis Pawtoun.
Williame Armistrang brother to Ade of the Harlaw.
Persellis Will, Persellis Andro, Persellis Thome } Armistrangis brethir.
Abe Armistrang callit Adyis Abe, Andro Armistrang callit Adyis Andro. } brethir.
Sym Armistrang callit Wantoun Sym.

The rest of Mirretoun quarter.

Lard of Quhithauch.

The quhilk day, Lancy Armistrang of Quhithauch obleist him on the conditionis befoir expremit for Sym Armistrang of the Manis and the rest of the Armistrangis of his gang.

Priouris Johnne.

The quhilk day, Johnne Grahame in Cannaby callit the Pryouris Johnne, enterit plege quhill Willie Grahame his sone enter in his place,

upoun the conditioun befoir specifiit for him self his bairnis thair tenentis and servandis; and Alexander Hume of Hutounhall and Alexander Hume of Manderstoun obleist thame that the said Johnne or Willie Grahame his sone sould nocht eschew quhill lauchfull entre wer tane of thame, under the pane of twa thowsand merkis.

William Johnstoun of Reidhall. The quhilk day, Williame Johnnestoun of Reidhall enterit as plege for him self, his brethir, thair branche, men, tenentis and servandis upoun the conditioun abonewrittin. And James Johnnestoun of Elphingstoun and James Johnnestoun of Westraw obleist thame conjunctlie and severalie that the said Williame Johnnestoun sall nocht eschaip quhill lauchfull entre be tane of thame, under the pane of twa thowsand merkis.

Williame Grahame the Claithman. The quhilk day, Johnne Johnnestoun of Newby become souertie to entir Williame Grahame callit Claithman befoir my Lord Regentis Grace, at Drumfreis, howsone his Grace cumis thairto, to remane quhill ordour be takin with him anent his obedience and redres, under the pane of twa thowsand markis.

Riche the Plump. The quhilk day, Arche Grahame of Blawotwod become souertie to entir Riche Grahame callit the Plump on Sonday nixtocum in Drumfreis, to remane quhill ordour be takin with him anent his obedience and redresse, under the pane of twa thowsand markis.

Will Bell of Gratno. The quhilk day, Johnne Johnnestoun of Graitno obleist him—owther to mak Will Bell of Graitno utherwayis namit Will amang the Fewlis, obedient to the lawis according to the conditionis and appointment gevin to the rest of the cuntre—or ellis sall burne, put of, and hald the said Will of his landis betuix and Sonday nixt.

David Ellot of Cavilling. The Laird of Edmonstoun standis souertie of auld for David Ellott of Cavilling.

Cokkis clame Crossar. The Laird of Cesfurde and Bukclewch standis souerteis of auld for Cokkis, Clame Crossar and Rowy Crossar in Yairdsyde.

Arche Ellot of Corresyke. The quhilk day, Sir Walter Scot of Branxholme knycht become souertie for Arche Ellot of Corresyke, that he salbe obedient and answerabill to the lawis for biganis and in tyme to cum, according to the ordour takin with the rest of the cuntre.

Andro Ker of Fawdounside hes band for Hob Ellot callit Sweit Mylk alias Greit Leggis.

Rowie Forester. The quhilk day, Archibald Armistrang of Mangirtoun, Martene Ellott of Bradley, Lancie Armistrang of Quhithauch, become souerties for Rowie Forester, that thai sall mak obedience according to the rest of the cuntre.

Apud Aquam de Milk in campis, xxv° die mensis Octobris, anno, etc. lxix°.

The Kingis Mathie. The quhilk day, my Lord Maxwell be his lettir is oblissit to present Matho Bell callit the Kingis Mathie in Dumfreis on Sonday nixt and affirmit the same be promis thaireftir.

The quhilk day, Johne Johnestoun of Howgill is enterit plage on the conditionis abonewrittin for all that ar cum of the auld gang of Wamfray. And the Lairdis of Johnestoun, Elphinston, Newby and Thomas Johnestoun of Craighopburne oblissit tham conjunctlie and severalie, that the said Johne Johnestoun sall not escaip quhill lauchfull entre be tane of thame in Dumfreis on Sonday nix to cum, under the pane of ii^{m} markis, and the Laird of Johnestoun oblissit him to relleif the Laird of Elphinstoun of the said souertie. The auld gang of Wamfra.

The quhilk day, Will Johnestoun of Myreheid quhill Arche Johnestoun his sone entir as plege for the said Archie and his bairnis, and for Pantoun Johnestoun of Lokarby and his servandis. Will Johnestoun of Myreheid.

The Laird of Drumlangrig souertie that he sall entir on Sonday in Dumfreis on conditioun foirsaid, under the pane of ii^{m} merkis.

The quhilk day, Will Johnestoun of Brumell plege on the conditionis abonewrittin for himself and his haill gang, to be interchangit with David his brother or Archie Johnestoun of Skynto. Will Johnestoun off Brumell.

The Laird of Drumlangrig souertie that he sall entir on Sonday in Dumfreis on the conditioun abonewrittin, under the pane of ii^{m} merkis.

The quhilk day, Johne Johnestoun in Toundergarth callit Quhitheid is enterit plege on the conditionis abonewrittin, for himself, Willie Johnestoun of Hayhill, Willie Johnestoun callit Davidis Willie, Johne Johnestoun of the Castelhill, Jame Johnestoun of the Court, Willie Johnestoun in Bogheid, Robert Johnestoun of the Burne, Matho Johnestoun of the Torwod, thair barnis, tenentis and servandis. The Lardis of Johnestoun and Elphinstoun oblissit thame conjunctlie and severalie that the said Johne Johnestoun Quhiteheid sall entir on Sonday in Dumfreis on the conditioun foirsaid, under the pane of ii^{m} merkis. Johne Quhiteheid.

The quhilk day, David Johnestoun of Staywod is enterit plege on the conditionis befoir specifiit for him self and the haill new gang of Wamfra, to be interchangit with Habbie Johnestoun alias Gawanis Habbe. The Laird of Johnestoun and Thomas Johnestoun of Cragoburne oblissit thame conjunctlie and severalie that the said David Johnestoun sall entir on Sonday in Dumfreis on the conditioun abonewrittin under the pane of ii^{m} merkis. New gang of Wamfray.

The quhilk day, Willie Johnestoun of Lokarby is enterit plege on the conditionis abonewrittin for himself, his twa brethir, his and thair bairnis, tenentis and servandis. And Williame Douglas youngar of Drumlangrig and Andro Johnestoun of Lokarby oblissit thame conjunctlie and severalie, that the said Willie Johnestoun sall entir in Dumfreis on Sonday, on the conditioun befoir rehersit, under the pane of ii^{m} merkis. Willie Johnestoun of Lokarby.

The quhilk day, Johne Johnestoun of the Quais enterit plege for the haill gang of Fouldouris on the conditionis abonewrittin. And the Lard of Johnestoun and Thome Johnestoun of Craighopburne oblissit thame conjunctlie and severalie that the said Johne sall entir in Dumfreis on Sonday, on the conditioun befoir rehersit, under the pane of ii^{m} merkis. The gang of Fouldouris.

The quhilk day, Gibbie Johnestoun of Fairholme enterit plege for him- The gang of Fairholme.

self and his bruther Willie Johnestoun of Preistedikis, David Johnestoun of Roberthill and his bruther, and thair bairnis, tenentis and servandis. And the Laird of Johnestoun and Johne Johnestoun of Newby oblissit thame conjunctlie and severalie, that the said Gibby sall entir in Dumfreis on Sonday nixt on the conditioun abonewrittin, under the pane of twa thousand merkis.

Syme of Powdene.

The quhilk day, Harbert Johnestoun of Powdene oblissit him that he sall mak Symon Johnestoun his sone obedient to the lawis; or ellis sall present him to my Lord Regentis Grace, or put him and hald him furth of the cuntrie, under the pane of twa thousand merkis.

The gang of the Bankis.

The quhilk day, James Johnestoun callit James with the Baird is enterit plege for the haill gang of the Bankis, quhill Harbert of the Quhitestanis his bruther enter in his place, on the conditionis abonewrittin. And the Lard of Johnestoun and Thomas Johnestoun of Craghopburne oblissit thame conjunctlie and severalie, that the said James or Habie sall entir in Dumfreis on Sonday nixt on the conditioun abone specifeit, under the pane of twa thousand merkis.

Johnestonis of Selcoutis.

The quhilk day, the Larde of Johnestoun oblissit him to bring ane of the Johnestonis of Selcoutis to Dumfreis on Sonday, to answer for that haill brenche, under the pane of twa thousand merkis.

The Grhames of Gillesby and Muskesso.

The quhilk day, James Erle of Mortoun Lord of Dalkeith, and Grhame youngar of Gillesby oblissit thame, conjunctlie and severalie, that Robert Grhame in Stobohill sall entir in Dumfreis on Sonday nixt, and thair remane quhill lauchfull [order] be tane of him, to ly as plege for the said Lard of Gillesby and haill Grhames of Gillesby and Muskesso, thair tenentis and servandis, under the pane of twa thousand merkis.

Irwenis of Boneschaw.

The quhilk day, Sir James Douglace of Drumlangrig knicht oblissit him to entir Edward Irwing of Boneschaw in Dumfreis on Sonday nixt, as plege for the haill Irwenis of Boneschaw, thair bairnis, tenentis, and servandis, under the pane of ii^{m} merkis.

Young Holmendis.

The quhilk day, Sir Johnne Bellenden of Auchnowle knycht Justice Clerk, and Johnne Carrutheris of Holmendis obleist thame, conjunctlie and severalie, that Johnne Carrutheris, eldest sone to George Carrutheris youngar of Holmendis, sall entir in Drumfreis on Sonday nixt, to ly as plege for the said Laird of Holmendis, his bairnis, men, tenentis, and servandis, under the pane of twa thowsand merkis.

The Dukis Jok Irwing. The souerteis enterit thame selffis.

The quhilk day, Adame Carlile of Brydekirk and Johnne Irwing youngar sone to the Duke, obleist thame to entir the Duke Johnne Irwing eldar in Drumfreis on Sonday nixt, to ly as plege for sic nowmer of the Irwingis of Hoddum as salbe declarit that day, under the pane of twa thowsand merkis.

The Lard of Corryis men.

The quhilk day, the Lard of Johnnestoun obleist him to caus the Laird of Corry cum to my Lord Regentis Grace and answer and mak suirtie for Willie Irwing and his brother, men and tenentis to the said Lard of Corry; and in caise the said Laird of Corry will nocht answer for thame to my Lord Regentis Grace contentment, in that caise the said

Laird of Johnnestoun sall burne thame, and put thame, and hald thame furth of the cuntre, under the pane of twa thowsand merkis.

The quhilk day, Alexander Stewart of Garleis obleist him that Habbe Irwing of Turnschaw, Johnne Irwing and Watte Irwing his sonnis, sall entir on Sonday nixt in Drumfreis, and remane quhill ordour be tane with thame, under the pane of ii^{m} merkis. Habbe of Turnschaw.

The quhilk day, the Lard of Johnnestoun obleist him to entir Alexander Carlile in Drumfreis on Sonday nixt, to remane quhill ordour be tane with him, under the pane of twa thowsand merkis. Alexander Carlile.

The quhilk day, Williame Douglas youngar of Drumlangrig obleist him to entir Johnne Carlile and Thome Carlile, brether to Adame Carlile of Brydekirk, in Drumfreis on Sonday nixt, to remane quhill ordour be tane with him, under the pane of twa thowsand merkis. Johnne Carlile. Thome Carlile.

The quhilk day, Sir Walter Scot of Branxholme knycht, and Johnnestoun of that Ilk, obleist thame, conjunctlie and severalie, that Johnne Johnnestoun the Chepmannis eldest sone, sall entir in Drumfreis on Sonday nixt, to ly as plege for the said Chepmannis bairnis and gang, under the pane of twa thowsand markis. Johnne the Chepman.

The quhilk day, the Laird of Johnnestoun promeist and obleist him to entir ane of the Moffettis of Powbudy, to ly as plege for the rest of that gang, on Sonday nixt in Drumfreis, under the pane of twa thowsand merkis. Moffettis of Powbudy.

The quhilk day, Johnne Jarden of Apilgirth obleist him to entir the principallis of the Jardenis of Milhoill and Gusgrene befoir my Lord Regentis Grace in Drumfreis on Sonday nixt, to the effect that sufficient plegeis may be takin of thame at my Lord Regentis discretioun, under the pane of ii^{m} markis. Jardenis.

The quhilk day, James Erll of Mortoun Lord of Dalkeith, and Johnne Jarden of Apilgirth, obleist thame that ather of thame sall bring ane of the principallis of the Moffettis of Bludewuse in Drumfreis on Sonday nixt, under the pane of twa thowsand markis. Moffettis of Bludewuse.

The quhilk day, Alexander Stewart eldar of Garleis obleist him for Johnne Irwing of Trailtrow, that he his bairnis and gang, salbe obedient to the lawis for biganis and to cum, according to the generall ordour, under the pane of twa thowsand markis. Johnne Irwing of Trailtrow.

The quhilk day, Sir James Douglas of Drumlangrig knycht obleist him for Habby Irwing and Jauffray Irwing, sonnis to Habby Irwing of the Turnschaw, that thai salbe obedient to the lawis for biganis and to cum, according to the generall ordour, under the pane of ii^{m} markis. Habby and Jaffray Irwingis sonnis to Habbe of Turnschaw.

The quhilk day, Criste Bell of the Landis enterit plege for him self and the haill Bellis of Middiwy, on the conditioun befoir expremit; and the Lard of Drumlangrig obleist him that the said Cristie sall entir in Drumfreis on Sonday, and Will Bell of Awy to releve. Bellis of Middiwy.

The quhilk day, my Lord Maxwell and Robert Maxwell of Cowhill promeist and obleist thame to entir Johnne Littill of the Cule, and Riche Jony of the Cule. Riche Litill in Fingland.

Littill in Fingland, at Drumfreis on Sonday nixt, that ordour may be takin anent the plegeis of the Littillis.

Bellis of the Clyntis. The quhilk day, Edward Irwing of Boneschaw obleist him to answer, and that his plege sould ly for all the Bellis of the Clyntis that dwellis on his landis.

Willeis of Wamfra. The quhilk day, the Lard of Johnnestoun promeist to bring sum of the principallis of the gang of Willeis of Wamfra to Drumfreis on Sonday.

Pait of Watterheid. Cristie of Milbank. The quhilk day, Johnne Johnnestoun of that Ilk and Johnne Jarden of Apilgirth obleist thame, conjunctlie and severalie, for Pait Johnnestoun of Watterheid and Cristie Johnnestoun of Milbank, that thai sall entir to my Lord Regentis Grace on Sonday nix to cum in Drumfreis, to mak suirtie according to the ordour takin with the rest of the cuntre, under the pane of twa thowsand markis.

Apud Drumfreis, xxix Octobris, anno, etc. lxix°.

Moffettis of Hewykis. The quhilk day, Alexander Jarden youngar of Apilgirth souertie to entir David Moffet in Hewykis, under the pane of twa thowsand markis.

Twa Charteris. The quhilk day, Johnne Charteris of Amysfeild souertie to entir Alexander Charteris callit Sanct Mary, and Blak Jok Charteris, under the pane of ii^{m} markis.

Ade Steillis sone. The quhilk day, Johnne Steill sone to Ade Steill plege for him self, his fader and bairnis, upoun the conditionis befoir rehersit.

Jardenis. The quhilk day, Johnne Jarden of Apilgirth is becum souertie for the haill Jardenis dwelland in Annanderdaill and utheris the said Lardis tenentis, that thai salbe answerabill bayth to England and Scotland, according to the conditioun of the remanent plegeis, and to entir the personis that salbe complenit upoun to my Lord Regentis Grace, for releif of the Kingis Majestie and Wardane, and satisfactioun of partiis complenand, or ellis sall deliver ane of the saidis Jardenis to ly in plege for fulfilling of this conditioun, under the pane of five thowsand merkis.

Ingrahame Litillis Bairnis. Andro Litill alias callit Ingrahamis Andro, plege for Ingrahamis gang, and in speciall Johnne Eassop.

Litillis in Eskdaill. Johnne Cristie plege for all the Littillis in Eskdaill except for Ingrahamis gang, Will of Kynmonthis tenentis, and Andro of the Gyngillis tenentis.

Johnestonis of Selcouth Pocornell and Willeis of Wamfra. The quhilk day, Johnne Johnnestoun of that Ilk is obleist to mak the Willeis of Wamfra, the Johnnestonis of Selcouth and Pocornell answerabill, conforme to the ordour of the rest of the plegeis.

Johnnestouis of Milbank. Cautio for twa Charteris. The quhilk day, Patrik Johnnestoun of Watterheid plege for himself, Cristie of Milbank, Kaittis Ade, thair brethir, bairnis, tenentis and servandis.

Nota the Lard of Amysfeild wes chargit to present thame the fyft of November. The quhilk day, Johnne Charteris of Amysfeild is becum plege and souertie for Sande Charteris callit Sanct Maloy, and Jok Charteris callit Jok of the Bra, that thai salbe enterit and presentit befoir my Lord

Regentis Grace quhen he or thai salbe requirit, ilk persoun under the pane of ane thowsand pundis.

The quhilk day, David Moffet in Hewykis enterit plege for him self, Willie Sym and Cristie his brother, thair bairnis, tenentis and servandis, and als for the haill gang of Powbudy to be interchangeit with ane of the twa brethir of the said David and James Moffet of Powbudy. Moffettis of Hewekis and Powbudy.

The quhilk day, David Bell callit the young King enterit plege for himself, Mathe Bell and Watte Bell, thair brethir, men, tenentis and servandis. Bellis of the Watter of Mylk.

The Lard of Johnnestoun souertie for Alexander Carlile, and the Lard of Drumlangrig youngar for Jok Carlile, and the Lard of Garleis eldar for Habbe Irwing of Turnschaw; to entir befoir my Lord Regentis Grace to morne at vii houris in the morning. Cautioun.

The quhilk day, Will Bell of Awy, Harbert Irwing of Turnschaw, Alexander Carlile in Egleshame and Johnne Carlile his brother, souerteis conjunctlie and severalie for Johnne Grahame callit the Claithman, that he salbe answerabill for releif of the Kingis Majestie and Wardane and redres of all partiis complenand, according to the ordour of the remanent plegeis. Caution for Johnne Grahame the Claythman.

The quhilk day, Johnne Johnnestoun of Newby and Arthour Grahame souirteis conjunctlie and severalie for Riche Grahame callit the Plump, that he salbe answerabill for relief of the Kingis Majestie and Wardane and redres of all partiis complenand, according to the ordour of the remanent plegeis. Caution for Riche Grahame the Plump.

The quhilk day, Robert Maxwell of Cowhill obleist him to entir his tenentis of Dunwedy to the lawis for releif of King and Wardane and partiis complenand. For the tenentis of Dunwedy.

The quhilk day, Johnne Carlile brother to Adame Carlile of Brydekirk enteris plege for himself and his brother for Habbe of Turnschawis bairnis, and the haill Bellis of Carrutheris, thair men, tenentis and servandis. Carlilis, Irwingis of Boneschaw, and Bellis of Carrutheris.

The quhilk day, Johnne Johnnestoun of that Ilk and Johnne Johnnestoun of Newby become souerteis, conjunctlie and severalie, for Arthour Grahame, that he sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the first day of October nixt, and that he sall keip gude rewle in the menetyme, under the pane of ii^{m} markis. Arthour Grahame.

The quhilk day, James Erll of Mortoun Lord of Dalkeyth Chancellar of Scotland, and Edward Irwing of Boneschaw, become souerteis conjunctlie and severalie for George Grahame in Reidpatrik, that he sall compeir the saidis day and place, and keip gude rewle as said is, under the pane foirsaid. George Grahame.

The quhilk day, Thome Scot callit the Stowir enterit plege for himself and all the Scottis of Ewisdaill that is nocht under Andro Armistrangis plege of Gyngillis, and for thair men tenentis and servandis. Scottis of Ewisdaill.

Apud Kelso, xvii Octobris, anno, etc. lxix°.

Caution for Sir Williame Anyslie.

The quhilk day, Sir Andro Ker of Hirsell knycht become souertie for Sir Williame Anyslie that he sall nocht offend in tymes cuming, and als sall satisfie the kirk at the nixt Generall Assemble.

The quhilk day, Sir Hew Hendirsoun in Quhidsum promeist to be present at the nixt Generall Assemble to satisfie the kirk, and in the menetyme to abstene from all administratioun of the sacramentis.

Apud Edinburgh, quarto Novembris, anno, etc. lxix°.

Amysfeild wardit in Falkland.

The quhilk day, my Lord Regentis Grace commandit and chargeit Johnne Charteris of Amysfeild, personalie apprehendit, to pas and entir his persoun in ward within the castell of Falkland, thair to remane upoun his awin expenssis ay and quhill he be fred and relevit be his Grace in oure Soverane Lordis name, within xxiiii houris nixt eftir he be chargeit thairto, under the pane of tressoun.

Apud Edinburgh, sexto Novembris, anno Domini j^{m}v^{c}lxix°.

The names of the plegeis, quhair thai ar placeit, and be quhome thai salbe interchangeit.

Castell of Edinburgh.

Joke Johnnestoun of Howgill.
Joke Johnnestoun callit young Kirkhill; Ade Johnnestoun sone to Martine in Kirkhill; Joke Johnnestoun sone to Thome of the Myll.

Pait Johnnestoun of Watterheid.
Cristie Johnnestoun of Mylnbank; Ade Johnnestoun callit Kaittis Ade; Arche Johnnestoun of Stynto; David Johnnestoun of Brumell; Jok Johnnestoun of Rigfuttis; Will Johnnestoun of Brumell.

Wille Moffet brother to David Moffeit of Hewekis.
David Moffet his brother; Cristie Moffet his brother; James Moffet in Powbudy.

Castell of Sanctandrois.

Aby Armistrang.
Will of Kynmonth; Cristie Armistrang brether; Niniane Armistrang.

David Johnnestoun of Staywod.
Gawin Hobbie Johnnestoun in Annanholme; Gawin Johnne Johnnestoun in Staywod; Thome Johnnestoun of Fingland.

Willie Johnnestoun of Reidhall.
Thome Johnnestoun; Cuthbert Johnnestoun his brethir.

David Batie.
Batie his eldest sone; Hew Batie brether to the said David; Mungois Arthour Batie.

Castell of Glasgow.

Thome Armistrang sone to Hector of Harlaw.
Hector Armistrang his brother; Willie Armistrang; Hector Armistrang thair fader.
Johnne Johnnestoun of Quhitheid.
Jame Johnnestoun of the Court; Jame Johnnestoun of Castelhill; Willie Johnnestoun callit Dandis Willie.
George Grahame callit Callthrow.
Robert Grahame brother to the Laird of Gillesbie; Robert Grahame of Stobohill; Jame Grahame callit Gilbertis Jame.
Johnne Batie of the yairdis.
Nicoll Batie in Carniesgill; Nicoll Batie in the Scheill; Johnne Batie sone to Wat of the Kerse.

In Borthuik.

Edward Irwing of Kirkpatrik.
Watte Irwing in Gratnohill; Willie Irwing in Gratnohill.
Johnne Johnnestoun of the Qwais.
Edward Johnnestoun callit Nicholas Edward; Andro Johnnestoun brother to the said Johnne; Thomas Johnnestoun of Rogerflat, alsua brother to the said Johnne.

In Ravynnisheuch.

Ingrahamis Andro Littill.
Ane of his brethir.
Thome Scott callit the Stowir.
Johnne Scott callit the Braid; Arche Scott of the Buss; Thome Scott of Blakhall.

In Dupline.

Willie Grahame sone to Pyouris Johnne.
George Grahame his brother; his uther nixt brother.
Cristie Armistrang of Brumeholme.
Rowy Armistrang callit the Lairdis Rowy; Johnne Armistrang sone to Johnnes Cristie; Niniane Armistrang of Wauchopdaill.

In Drymmen.

Arche Johnnestoun of Mureheid.
Jok Johnnestoun callit Grenesyde; Martine Johnnestoun brother to the said Arche; Cuddy Johnnestonis alsua his brother.
Willie Johnnstoun of Lokarby.
Ane of his awin brethir; Andro Johnnestonis eldest sone.

In Lochdun with the Erll of Cassillis.

Will Ellot callit the Lord.
Johnne Ellot of Fiddiltoun; Hob Ellot callit the Lady; Hob Ellot callit Hob of Unthank.

Gibbe Johnnestoun of Fairholme.
Willie Johnnestoun of Preistisdykis; David Johnnestoun of Rohill; Willie Johnnestoun brother to the said Gib.

In Castell Simpill.

Thomas Armistrang brother to Mangertoun.
Sym Armistrang alsua his bruther; Cristell Armistrang callit Cristellis Symon; Armstrang sone to Reid Sym.
Johnne Irwing callit the young Duk of Hoddum.
Jok Irwing his fader brother; ane of Habby of Turnshawis bairnis.

In Dundas.

James Johnnestoun with the berd.
Hobbe Johnnestoun of the Quhitstanis; James Johnnestoun of Killeriggis; Jok Johnnestoun of Colyearknow.

In Neidpeth.

Joke Steill sone to Ade Steill.
His awin fadir.

In Rosling.

David Bell callit Young King.
Mathe Bell callit the Kingis Mathe; Watt Bell brother to the said David.

In Balwery.

Johnne Ellot of the Park.
Gray Will Ellot; Hob Mirk Ellot.

In Westir Wemys.

Johnne Ellot of Thorlishoip.
Hob of the Schawis; Arche Ellot callit Fyre the Brais his brother.
Lancy Armistrang of Quhithauch.
Sym Armistrang his eldest sone; Syme of the Manis; Johnne Armistrang of Quhithauch.

In Blaknes.

Ade Ellot callit the Cowdais.
Robert Ellot callit Wilcokis Hob; Johnne Ellot callit Gawins Jok in Ramsygill.
Elder Will the Tod.
His eldest sone; David Carling his brother.
Hekke Armistrang sone to Andro Armistrang of the Gyngillis.
Thome Armistrang his fader brother; the said Andro his fader; Willie Armistrang sone to the said Thome.
Archie Kene.
Clementis Hob; Dand of Braidley.

With my Lord Regentis Grace.

Willie Irwing sone to Edward Irwing of Boneschaw.

Cristie Irwing brother to the said Edward; Cristell Irwing eldest sone to the said Edward.

Martine Ellot of Braidley.

Sym Ellot his eldest sone; Hob Ellot callit Archeis Hob.

Martinis Gib is left with my Lord Regentis Grace to the returning of Martine Ellot.

Jok Carlile brother to Adame Carlile of Brydekirk.

In the toun of Sanctandrois.

Gawin Ellot of Fallinesche.

Williame Ellot of Gorrumbery; Gawin Ellot of Skelfhill; Sym Ellot of Dodburne.

With the Bischop of Orknay.

Johnne Carrutheris thrid Lard of Holmendis.

George Carrutheris his fader; Will Carrutheris callit Will of Dormond; Murray of Morayquhat.

Cristie Bell of the Landis fugitive.

The Lard of Amisfeild, his kepar wardit in Falkland for him.

Apud Edinburgh, octavo Novembris, anno, etc. lxix°.

Martine Ellottis promeisis.

In presence of Alexander Hume of Manderstoun, Alexander Hume of the Manis of Northberwik, Maister Adame Hume of Polwart, Maister Johnne Wod, Martine Ellott of Braidley wes content and promeist upoun his honestie and lawtie faythfullie.—That gif it wald pleis my Lord Regent his Grace to grant him licence and leif to pas presentlie to Liddisdaill, that he sall caus the inhabitantis of Liddisdaill to convene and meit ony gentilman that it sall pleis my Lord Regent send towartis that cuntre within xiii or xiiii dayis heireftir nixt following the day and dait heirof. And sall do all the service to him possibill to sic as my Lord sall direct to that effect for furtherance of the obedience of the cuntre. And quhen as the said gentilman sall returne towartis my Lord agane, that the said Martine sall, but faill, returne with him in cumpany and entir agane to my said Lord Regent to remane as plege at his plesour. And during the menetyme and his absence, sall leif heir in this toun with my Lord his Grace, Gib Ellot his brother sone as plege for him to his returning as said is. And eftir the said Martine salbe returnit and enterit as said is, that he sall remane with my said Lord Regent salang as salbe his Graces plesour; nather sall depart without his Graces plesour. And gif thaireftir it salbe his plesour, to imploy the said Martine in ony service within the boundis of Liddisdaill, namelie in keping of the hous of the Armitage, the said Martine being supportit at my Lord Regentis discretioun sall accept the said service, and faythfullie imploy himself thairin for the quieting of

that cuntre and reduceing of the haill inhabitantis thairof to the trew obedience of the Kingis Majestie and his Regent; nather sall omit ony part of his uther power and diligence thairin; and for performance of the premissis, sall entir ony sone my Lord will cheis of his to remane with my Lord for suirtie thairof in my Lordis service. And to performe fayth-fullie the premissis but fraude or gyle, hes obleist him be the fayth and trewth of his body, and under the pane of repruif infamy and perjurie, be-foir the witnessis abone expremit. In witnes of the quhilk, the said Martine hes subscrivit this present with his hand at the pen led be the notar underwrittin, day, yeir and place abone expremit, and the witnes foirsaid hes subscrivit the same. Sic subscribitur, Martine Ellot, with my hand at the pen led be the notar underwrittin at my command. It est Joannes Kene notarius de mandato dicti Martini. Maister Adame Hume. Maister Johnne Wod. Alexander Hume of Manderstoun. Alexander Hume.

At Kelso, the xx day of September 1569.

Sir Andro Ker of Hirsell. Manderstoun. Hutounhall.

In presence of my Lord Regentis Grace comperit Sir Andro Ker of Hirsell knycht on the ane part, and Alexander Hume of Manderstoun and Alexander Hume of Hutounhall on the uther part, and submittit thame selffis to my Lord Regentis Grace, anent thair richt titill and possessioun and kyndnes, quhilkis thai or ony of thame hes, or may move or clame to the teindis of Hirsell. My Lord Regentis Grace having avisit with the allegationis of bayth the partiis clamyng unto thame the titill of the saidis teindis be diverse ressonis, thairfoir hes remittit the caus to be decydit be ordour of law; and quhill the decisioun thairof, that the saidis teindis sustene na hurt, nor that nather of the saidis partiis be prejugeit of thair richtis, titillis, possessionis or kyndnessis, my Lord Regentis Grace will direct sum speciall servand of his awin to teind and leid the teind schaves of the saidis landis; and to set and stak the samyn upoun the ground of the landis of Dernchester at the expenssis of the same; thair to remane unintromettit with be ather of the saidis partiis ay and quhill it be decidit be ordour of law and justice to quhome the same appertenis. And dischergeis bayth the saidis partiis of all intromissioun with the saidis teind schaves, and of all making of convocatioun for that effect, as thai will answer upoun thair obedience, and at thair uttirmest charge and perrell.

Apud Edinburgh, xxii die mensis Novembris, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.
Jacobus Comes de Mortoun.
Joannes Comes de Mar.
Robertus Comes de Buchane.
Magister de Grahame.
Magister de Marschell.
Episcopus Orchadensis.
Episcopus Galloway.

Willelmus Dominus Ruthven.
Patricius Dominus Lindesay.
Joannes Dominus Glammis.
Andreas Dominus Uchiltre.
Commendatarius Dunfermling.
Commendatarius Balmerinoch.
Clericus Justiciarie.
Spens Advocatus.

Lord Oliphant. Caithnes.

Anent the actioun and caus persewit be Laurence Lord Oliphant specifiit and contenit in oure Soverane Lordis lettres past upoun ane Act of Secreit Counsall, makand mentioun [follows the narrative set forth in the minute of 12th October.[1]] Quhilk mater being callit upoun the xii day of October last bipast, my Lord Regentis Grace considering the same to be greit and wechtie, and he at that tyme to be solitar at Kelso upoun the fronters, the noblemen and utheris of the Previe Counsale being for the maist parte absent, thairfoir continewit the said mater, in the same forme, force and effect as it was than, but prejudice of party, ordaning letters to be direct of new, charging the said George Erle of Caithnes, Justice foirsaid, to compeir befoir his Grace and Lordis of Secreit Counsall at Edinburgh or quhair it suld happin thame to be for the tyme, this instant the xxii day of November, to heir and se the personis tane, apprehendit, and presentlie captive for the saidis allegit crymes exemit fra him and his jurisdictioun, to the Justice Generall and his Deputis, and the said Erle dischargeit of all proceding aganis thame in tyme cuming; charging him also to superceid all proceding upoun the personis fund souertye to underly the law for the saidis allegit crymes, bot that he continew all calling or unlawing of thame or thair souirties quhill the xii day of December nix to cum, discharging him of all proceding aganis thame as alsua of the saidis personis captive, in the menetyme quhill the said xii day of December nix to cum, without prejudice alwise of the said Erles commissioun grantit to him for the effect foirsaid or ony parte thairof, ordaning the officiar executour of the saidis letters to deliver the said Lord Oliphantis obligatioun to the said Erle of Caithnes, quhair the said Lord Oliphant is becumin cautioun for the entre of the saidis personis that fand souertie the said xii day of December, like as at mair lenth is contenit in the saidis letters executionis and indorsationis thairof. The said Laurence Lord Oliphant comperand personalie, and the said George Erle of Caithnes comperand be Mr. Clement Littill his procuratour, the richtis, ressonis and allegationis of baith the saidis parties, being hard sene and understand to my Lord Regentis Grace and Lordis of Secreit Counsell, and thai riplye advisit thairwith, togidder with the names of certane personis quhome or ony thrie or twa of thame the said Erle of Caithnes and his said procuratoure in his name was content to nominat and gif commissioun as deputis unsuspect, to proceid and minister justice upoun the saidis personis apprehendit and suspect of the saidis crymes, providing thai fall within the body of his commissioun.—My Lord Regentis Grace, with avise of the Lordis of Secreit Counsell decernis and ordanis letters to be direct in maner and to the effect following; that is to say, commandand and chargeand the said George Erll of Caithnes, to mak, con-

[1] See page 37.

stitute and ordane be his commissioun in competent and dew forme Robert Monro of Foulis, Robert Dunbar of Grangehill, Johne Hay of Lochleny and Andro Monro of Newmoir, or ony thre or twa of thame conjunctlie his Justice Deputis of and within the boundis of the Diocy of Caithnes, to the effect underwritten allanerlye; gevand, grantand and committand to thame full power, speciall command and charge, to fense and hald court or courtis of Justiciarie of the boundis of the Diocy of Caithnes within the Tolbuith of the burgh of Elgin, upoun the xx day of Januar nix to cum or ony uther day or dayis neidfull; anent quhilk place his said Regent and Lordis of Secreit Counsell in his Hienes name dispenssis be thir presentis, admittand the same als lauchfull in all respectis as gif thai war creat, haldin and fensit within the boundis of the said diocy of Caithnes, and the same on na wayis to be prejudiciall to the validitie of the said Erle of Caithnes commissioun of Justiciarie foirsaid; and in the said court or courtis the saidis personis alsweill presentlie detenit as under souerty to underly the law for the saidis crymes baith newlie delaitit and under souertie of auld,—the persoun of the said Laurence Lord Olyphant onely except, quhais triall in this case, my Lord Regentis Grace and Lordis of Secreit Counsell reservis to be taken in the Tolbuith of Edinburgh befoir the Justice Generall and his deputis quhair the said Lord Olyphant may be tryit be his peris, as in a cause of wecht and gravitie is requisit and accustumat; to call be dittay, accuse and put to the knawlege of ane assise for the crymes abone writtin; and as thai be found culpabill or innocent, to ministrat justice upoun thame conforme to the lawis and consuetude of this realme; assise or assissis, ane or ma within the boundis of the said diocy of Caithnes and four halfis about lest suspect and that best knawis the veritie on the said mater, to sufficient numer, to summond, varne, cheise and cause be sworne; that is to say, the personis dwelland within the boundis of the said commissioun under the panis contenit thairin, and the personis dwelland outwith the boundis of the same, ilk persoun under the pane of xl ℔; and to command and charge the said Erle of Caithnes, Justice foirsaid, to caus convoy, bring and present the saidis personis detenit captive befoir his saidis Justice Deputis in the said tolbuith of Elgin, the said xx day of Januar nix to cum; and als to charge and warne all the remanent personis delaitit of the saidis crymes baith of new and auld and the souerties fund be thame (the said Laurence Lord Olyphantis awin persoun onely except) to compeir and entir the saidis day and place, to underly the law for the crymes foirsaid; certifeing the said Erle, Justice foirsaid, gif he failye heirin, the saidis personis captives salbe takin fra the jurisdictioun of him and his Deputis, to the jugement of the Justice Generall of this realme and his Deputis; certifeing also the remanent personis that hes fund souertie, or hes bene chargit to find souertie, that in caise thai failye, and compeir not the saidis day and place (the said Lord Olyphantis awin persoun onely except) to underly the law for the saidis crymes abonewrittin, thai salbe decernit fugitives, the process of horne salbe led aganis thame, and thair souerties unlawit conforme to the lawis of this realme; dischargeing the

said Erle of Caithnes, Justice foirsaid, of all proceding utherwise aganis the saidis personis presentlie captives or that hes fund souerty to underly the law for the crymes foirsaidis, but onely be his saidis Deputis unsuspect in the said Tolbuith of Elgin the said xx day of Januar nix to cum, but prejudice alwise of the said Erlis commissioun of Justiciarie grantit to him or ony parte thairof, or ony proffeit or commoditie that may fall and justly pertene thairthrow; and that the officiar executoure of the saidis letters deliver the said Lord Oliphantis obligatioun to the said Erle of Caithnes quhair he is becum cautioun for the entre of the saidis personis that fand souertye and hes bene chargit of new to the said xx day of Januar nix to cum; discharging alsua the said Erle, Justice foirsaid, off all intromissioun and uptaking of ony the saidis personis escheit, gudes or unlawis of thair souerties, for noncomperance at ony dayis bipast, notwithstanding ony proces of horne or jugement led aganis thame, quhill thai be tryit be law, the said xx day of Januar in maner foirsaid.

Provest and Baillies of Air.

The quhilk day, anent oure Soverane Lordis letters past under his Hienes signet, and subscriptioun of his derrest cousing James Erle of Murray Lord Abirnethy, Regent to his Hienes, his realme and lieges, makand mentioun.—That forsamekle as it is undertsand to my Lord Regentis Grace, that upoun the thrid day of October last bipast, the Provest Baillies and a greit numer of the burgessis and craftismen of the Burgh of Air, being convenit in the Tolbuith of the same, for electing and chesing of Provest and Baillies and utheris officers for governing of the said Burgh the yeir to cum, certane seditious personis, burgessis of the said Burgh, specialie Robert Coninghame, Johne Broun younger, Andro Johnestoun and thair complices, rasit ane seditious uproare within the said Tolbuith, injurand the last Provest and Baillies, and minassing ane officiar of armes with maist contumelius wordis and bodely harme, for presenting of ane charge in oure Soverane Lordis name. At the occasioun of the quhilk tumult the Court was scalit and the electioun of officers left of, the said Court being the onely tyme of the yeir propir thairfoir, to the greit contempt of oure Soverane Lord and his Hienes authoritie, and to the evill exemple of utheris seditious personis to do the like in tyme cuming, without tymous remeid be providit. And anent the charge gevin to the saidis Robert Coninghame, Johne Broun youngar, and Andro Johnestoun, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsell, to answer to the complaynt abonewrittin. Johne Lokart Provest, George Lokart and James Kennedy Baillies, the yeir bipast, comperand personalie on the ane part; and the said Alexander Coninghame and Johne Broun youngar comperand alsua personalie on the uther parte; and the said Andro Johnestoun being oftymes callit and not comperand, Mr. Michaell Wallace tuke on hand to answer for him. The richtis, ressonis and allegationis of baith the saidis parties, being hard sene and understand to my Lord Regentis Grace and Lordis of Secreit Counsell, and thai ryplie advisit thairwith.—My Lord Regentis Grace being of deliberat mynd and propois to repare, God willing, to the

Burgh of Air for administratioun of justice to all our Soverane Lordis liegis dwelland within the boundis of the sherefdome of Air, remittis, referris and supercedis the punisement of the saidis personis for the offencis committit and confessit be thame quhill his Graces cuming to the Burgh of Air. And becaus the same is presentlie destitute of Provest, Baillies, and utheris officiaris, to governe and administrat the effaris of the commoun weill thairof for this yeir present, thairfoir his Grace, with avise of the saidis Lordis, continewis and supercedis the electioun of the saidis Provest, Baillies, and utheris officiaris of the said Burgh quhill his Graces passing thairto; at quhilk tyme his Grace will see the electioun of the saidis Provest, Baillies and utheris officiaris to proceid ordourely without tumult according to the lawis of this realme and conforme to the lovabill ordoure and custume of the said Burgh observit in tyme bipast; and in caise his Grace throw sic impedimentis as may occur can not convenientlie nor in schort space resort to the said Burgh of Air for accomplesing of the premissis, than his Grace will gif pover and speciall directioun to sum noblemen or utheris of speciall trust and gude experience, to be present and to see the said electioun maid in quiet and guid forme; and in the menetyme quhill his Grace may have oportunitie to be present to se the said electioun, to the effect that the said Burgh sall not be destitute of Provest, Baillies and utheris officiaris, ordanis letters to be direct, charging the said Johne Lokkert Provest, James Kennedy and George Lokkert Baillies, and utheris ordinar officiaris quhilkis administrat the effairis of the commoun weill of the said Burgh the yeir bipast, to continew and remane in the using and executioun of thair offices siclike as thai did the yeir preceding, or as gif thai had bene newly electit at the feist of Michaelmes last bipast, without prejudice alwayis of the liberty of the said Burgh, or of the fre electioun of Provest and Baillies and utheris officiaris thairof, at quhatsumevir tyme my Lord Regentis Grace sall repair thairto, or direct the said electioun to pas and proceid be sic commissioners as it sall pleis his Grace to direct thairto, as thai will answer upoun thair obedience and utermest charge and perrell. And in lik maner to command and charge all and sindre the burgessis, craftismen, and inhabitantis of the said Burgh of Air, to redely answer, intend and obey the saidis Johne Lokkert, James Kennedy and George Lokkert, in the saidis offices of Provestrie and Baillieschip of the said Burgh, in all thingis tending to our Soverane Lordis obedience and commoun weill of the samyn, ay and quhill the said electioun pas in forme and maner as is befoir expressit, as the saidis burgessis, craftismen and inhabitantis of the said Burgh will answer upoun thair dew obedience to his Hienes authoritie, and under all hiest pane, charge and offence that thai and ilkane of thame may commit or inrin aganis his Hienes in that behalf.

George Lokkart of Air.

The quhilk day, anent oure Soverane Lordis letters past under his Hienes signet, and subscriptioun of his derrest cousing James Erll of Murray Lord

Abirnethy Regent to his Hienes his realme and liegis; makand mentioun. Forsamekle as thair is ane grevous complent maid to my said Lord Regent upoun George Lokkert burges of Air, for his irreverent and contemptuus dissobeying of the commandement and requisitioun of the minster, elders and deaconis of the kirk of Air. And anent the charge execute upoun the said George, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsell, to answer to the said complent, and to underly sic punisment as salbe appoyntit to the said contempt, under the pane of rebellioun and putting of him to the horne, like as at mair lenth is contenit in the saidis letters. The minster and ane parte of the kirk of the burgh of Air on the ane parte, and the said George Lokkert on the uther parte, comperand baith personalye; quhilkis war content that the mater suld presentlie be hard and direct, althoch the day of comperance specifeit in the saidis letters be not cum yit; the ressonis and allegationis of baith the parties being hard and understand to my Lord Regentis Grace and he riplie avisit thairwith. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsell, remittis the triall and decisioun of the said complent to the nixt Generall Assembly of the Kirk, to be kepit within this Realme, ordaning baith the parties, alsweill compliners as defenderis, to meyne the mater to the said Generall Assembly and to require thair jugement of the same thairupoun; quhilk my Lord Regentis Grace will hald hand to see execute as appertenis, without prejudice of the temperall puneisment that is due and worthy to be execute for the said offence, in caise the Generall Assembly find the said George worthy of correctioun and puneisment.

Apud Edinburgh, xxiii Novembris, anno, etc. lxix.

Sederunt—Domini ut in die predicto.

Johnnestoun in Kirkhill.

Maxwell of Cowhill.

Anent the complaint maid be Williame Johnnestoun in Kirkhill upoun Robert Maxwell of Cowhill, makand mentioun; that quhair the said Williame being under our Soverane Lordis protectioun and his plege enterit in ward within the Castell of Edinburgh, the said Williame being passand to the Kingis marcat of Drumfreis wes violentlie set upoun be the said Robert and his cumpany, and led to the toun of Drumfreis, and thair haldin in captivitie ay and quhill he wes constrenit to find the Laird of Cloisburne souertie for him, to enter to the said Robert as presonar,—quhilk is contrary to the proclamatioun and actis maid thairupoun, proporting that all plege men sould be fre to pas and repas to thair lesum bissines under oure Soverane Lordis protectioun. And anent the charge gevin to the said Robert Maxwell of Cowhill, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall, to answer to the said complaint; bayth the partiis comperand personalie.—My Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis the said William Johnnestoun to be fre of all interesse to the said Robert Maxwell of Cowhill and

utheris, his takaris at the tyme foirsaid, dischargeing him and the said Roger Kirkpatrik his souertie thairof in all tyme cuming; and for the said Robert Maxwellis contravening of the lawis and quietnes establissed be my Lord Regentis Grace in our Soverane Lordis name, the said Robert wes ordanit and commandit to remane in ward within the portis of this burgh of Edinburgh, and on na wyise to eschaip nor eschew furth of the samyn quhill he be fred and relevit be my Lord Regentis Grace, as he will answer upoun his uttirmest charge and perrell.

Apilgirth. Grahame. The quhilk day, Alexander Jarden youngar of Apilgirth being callit in presens of my Lord Regentis Grace wes dischargeit, of all calling of Williame Grahame servand to James Lord Somervile, to entir to Archibald and Niniane Armistrangis, brether to Williame Armistrang callit Will of Kynmonth, to quhome the said Alexander Jarden become souertie for the said Williame Grahame; becaus all bandis for entering of trew Scottismen to thevis ar alreddy dischargeit be oppin proclamatioun; and that as the said Alexander will answer upoun his obedience and at his uttirmest charge and perrell.

Discharge of Presonaris. The quhilk day, it is statute and ordanit that na maner of Scottismen tak upoun hand to call or charge ony of our Soverane Lordis liegis that hes bene takin presonaris be thevis and brokin men, according to the tennour of the lawis and Actis of Parliament, and under the pane contenit in the same; and in caise ony presume to do in the contrair, it salbe lefull to the persoun chargeit to tak and hald the persoun that chargeis him, and keip and use him as a presonar, as alsua the branche liand for the branche, or the grayne of him that chargeis sic presonaris sall incontinent, eftir sic chargeing at the first tyme, be put in strait irnis, and at the secund tyme salbe hangit and execute to the deid for the same.

Chepman. Hamiltoun of the Tonngis. Anent oure Soverane Lordis lettres rasit at the instance of Walter Chepman and Jonet Lindsay his spous, in Barwodheid, makand mentioun.—That quhair upoun our Lady Day at evin, afoir Yule last bipast, James Hammiltoun in Akinheid, callit James of the Tonngis, Gawin Cleland in Gartschary, Johnne Hammiltoun and Walter Hammiltoun, sonnis to the said James, and James Chepman, oure Soverane Lordis rebellis, and at the horne, with thair complices, bodin in feir of weir, come to the saidis complenaris landis of Barwodheid beand teland the samyn for the tyme; and thair nocht onelie straik the said Walter Chepman and his servand being with him with bauch strakis upoun his heid syde and leggis, with daggis, battownis, and greit endis of speris, to the effusioun of his blude, and thair left him for deid; bot als at the samyn tyme slew four oxen being in his plewch, and spuilyeit, reft, and tuke away his plewch grayth; and als the foirsaidis personis, rebellis, with thair complices, continewand in thair evill gevin mynd and oppressioun of oure Soverane Lordis trew liegis upoun the thrid day of October last bipast, come to the saidis complenaris landis of

Barwodheid foirsaidis, and thair siclyke nocht onelie straik and dang Jonete Chepman, dochter to the said Walter, with the end of ane speir, bot als maisterfullie reft and tuke away thair haill cornis beand standand upoun the ground of thair saidis landis, estimat to thre scoir and fourtene thraves of aittis, and twenty thraves beir, and left thame na maner of thing to leif upoun; and nochtwithstanding all this, the saidis personis rebellis hantis and frequentis to and fra in the cuntre, heriand and oppressand our Soverane Lordis trew liegis, specialie thame avowand his Hienes obedience, makand thame ane pray at all tymes, makkand thairthrow justice lychtleand, and vilipendand his Majesteis authoritie, takand na regaird thairof nor of the present regiment, bot gevand evill exempill to utheris nauchtie and wickit personis to do the lyke vilipensioun, rebellioun, and oppressioun gif this be sufferit to remane unpuneist. And anent the charge gevin to Johne Hamiltoun, sumtyme of Stanehous, being for the tyme executing the office of Sherefdepute of the Sherifdome of Lanerk, to pas, serche, seik, and apprehend the foirsaidis personis complenit upoun, oure Soverane Lordis rebellis, and to bring and present them befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day, to the effect thai mycht have bene puneist, conforme to the lawis of this realme, under the pane of rebellioun and putting of the Sheref and his deputis to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put thame to the horne, like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The saidis letters being callit, comperit the said Walter Chepman and Jonet Lindesay his spous; and the said Johne Hammiltoun being oftymes callit and not comperand, my Lord Regentis Grace and Lordis of Secreit Counsell, understanding that the said Johne Hamiltoun, sumtyme of Stanehouse, is presentlie under the process of forfaltour for certane crymes of tressoun and lese majestie committit be him, of the quhilk he wes convict in Parliament. Thairfoir ordanis lettres to be direct charging and commanding James Duke of Chestellarault Erle of Arrane Lord Hammiltoun and Sheref Principall of Lanerk, presentlie being in ward within the Castell of Edinburgh, that he cause the office of Sherefschip of the said Sherefdome be usit and administrate be honest and qualifeit personis, that ar oure Soverane Lordis fre liegemen that ar nether foirfaltit nor denuncit rebellis and at the horne; and in speciall that he caus the saidis James Hammiltoun of the Tonngis, Gawin Cleland, Johne Hammiltoun and Walter Hammiltoun, sones to the said James, and James Chepman, oure Soverane Lordis rebell and at the horne, be serchit, socht, takin, apprehendit, and presentit befoir my Lord Regentis Grace and Lordis of Secreit Counsell at Edinburgh, or quhair it sal happin thame to be for the tyme upoun the xx day of December nix to cum, to the effect thai may be puneist conforme to the lawis of this realme, as the said Duke of Chestellarauld, Sheref Principall foirsaid, will answer to our Soverane Lord upoun his dewetye and obedience; certefeing him gif he failyeis heirin, my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsell, in our Soverane Lordis name, will inhibit all

oure Soverane Lordis liegis, inhabitantis of the said Sherefdome of Lanerk, that nane of thame sall answer nor obey in the Sheref Courtis of the said sherefdome, that sal happin to be haldin be personis foirfaltit or at the horne; and attour, command and commissioun salbe gevin and grantit to utheris, to convocate oure Soverane Lordis liegis, and to serche, seik, apprehend and persew the saidis personis rebellis as inymeis to oure Soverane Lord and this commounweill quhill thai be apprehendit and brocht to obedience.

Denunciatioun upoun Freir Abircrumby.

The quhilk day, Sir Andro Abircrummy being oftymes callit to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsell, as he that was lauchfullie chargit to that effect be vertew of oure Soverane Lordis letters, to answer to sic thingis as suld be inquirit of him at his cuming, and to underly sic directioun and commandiment as suld be gevin him toward the observatioun of gude ordour and eschewing of all thing that may be occasioun of seditioun and tumult in the cuntre, under the pane of rebellioun and putting of him to the horne. And the said freir Andro not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsell, ordanis letters to be direct to denunce the said freir Andro Abircrummy oure Soverane Lordis rebell and put him to his Hienes horne, and to escheit and inbring all his movabill gudis to his Hienes use for his contemptioun; and als to command and charge the Sheref of Elgin and Fores and his Deputis, and the Provestis and Baillies of the Burrowis of Elgin and Fores, the Baillie of the Regalitie of Spyne and utheris oure Soverane Lordis officiaris quhatsumevir, that thai and ilkane of thame pas, serche and seik the said freir Andro Abircrummy rebell foirsaid, and bring and present him to the Justice or his deputis, to be puneist for his rebellioun and contempt, or ellis put and hald him in ward quhill justice may be execute upoun him conforme to the lawis of this realme.

Charge on Provest and Baillies of Elgin.

The quhilk day, Johne Annand Provest, David Thomsoun Alexander Guthrie Thomas Umfray and Williame Auldcorne Baillies, of Elgin, being oftymes callit to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsell, reddye to underly the sensament of ane assise upoun the diligence done be thame, in putting of certane actis and ordinances to executioun; specialie that na marcattis suld be haldin on Sondayis, and all sic personis as war knawin commoun huris and harlottis, to be beneist and haldin furth of all fre burghis, as thai that war chargit be vertew of our Soverane Lordis letters, under the pane of rebellioun and putting of thame to the horne; and gif thai failyeit, to denunce thame rebellis and put thame to the horne. The saidis personis not comperand, my Lord Regentis Grace, rather willing to have obedience with the saidis Provestis and Baillies nor of suting thair hurt be uptaking of thair eschetis, as behuvit of justice to be done gif thai war anis denuncit rebellis and put to the horne.—Thairfoir ordanis letters to be direct to command and charge the said Johne Annand Provest, David Thomesoun Alexander Guthrie

Thomas Umfray and Williame Auldcorne Baillies, of the said burgh of Elgin, to pas and entir thair personis in ward within the castell of Daroway within xlviii houris nixt eftir thai be chargit thairto, thair to remane upoun thair awin expenssis ay and quhill thai have fulfillit the command of the saidis utheris letters direct aganis thame, under the pane of tressoun; and that the officiaris executouris of the saidis letters deliver unto thame letters of recept for this effect.

Taxatioun about Dunbartane for December.

Forsamekle as the Castle of Dunbartane hes bene inclosit and invironit this tyme bigane be certane force and men of weir, partlie sustenit at oure Soverane Lordis charges, and partlie at the expenssis of the cuntrie and burrowis adjacent,—and becaus the tyme appoyntit schortlie endis and rynnes out, befoir the quhilk my Lord Regentis Grace can not convenientlie repair in the said cuntrie for taking ordour anent the continewance of forces at the said castell be ressoun of his uther greit and wechtie occupatioun in the effairis of the commoun weill of the realme,—he hes alreadye communicat the mater to certane of the noblemen and baronis and to the honest men of the burrowis, quhilkis in consideratioun of the necessitie hes voluntary condiscendit to contribute for sustentatioun of the saidis forces as thai have done in tyme bipast for the moneth of December now approching. Quhairfoir it is convenient that charges be direct to that effect. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsell, ordanis letters to be direct to the Shereffis of Dumbertane, Renfrew, and Streviling, and to officiaris of armes Sheriffis in that part, charging thame to pas command and charge, all and sindrie Erles Lordis Baronis and Frehalders, within the boundis of the sherefdomes of Renfrew and Dumbartane and sevin parochanis of Strevilingschire within the boundis of the Lennox, that thai and ilkane of thame, thankfullie content pay and deliver the soome of thre schilling of every pund land of auld extent, upoun the first day of the moneth of December nix to cum, for sustening of the said ordinar force during the tyme of the said moneth, according as thai have payit during the utheris monethis preceding, under the pane of rebellioun and putting of thame to the horne; and in caise thai failye thairin, the said day being bypast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.; or in cais ony personis, duelland outwith the saidis sherefdomes hes landis within the saidis boundis, refussis to pay the said taxatioun, or in cais ony pas wilfullie to the horne for none payment thairof, that the saidis shereffis or officiaris of armes arreist, apprise, compell, poind, and distringye the rediest gudis and geir being upoun the grund of the saidis landis, to the availl and quantitie of the said soume, and mak payment tharof to the collectouris accustumat for payment of the saidis futemen; and for the same effect, that all the officers, executouris of the saidis letters, use the like executioun aganis all subvassellis, ladeis of terce, lyferentaris, conjunct fieris, and utheris inferiour heritable possessouris, for releif of the Kingis immediat tenentis, according to the rait of the landis and possessionis quhilkis thai occupie. And siclike to command and charge

the Provestis and Baillies of the tounes of Glasgow, Air, and Irwing, to content and pay to Alexander Erle of Glencarne, or sic as he sall appoynt, taxatioun according to the first ordoure, for sustening of the hagbutters during the said moneth of December; and that within xlviii houris eftir the first day thairof, under the pane of rebellioun and putting of thame to the horne; and in cais thai failye, to denunce thame rebellis and put thame to the horne, and to escheit, etc.; and for thair releif, to charge all and sindre burgessis and inhabitantis of the said burrowis, to mak payment of the said ane monethis taxatioun, ilkane of thame thair awin partis respective, to the Provest and Baillies of the toun quhair thai duell, or sic collectour as thai appoint to the ressett thairof, within xxiiii houris nixt eftir the said first day of December, under the said pane of rebellioun; and gif thai failye to put thame to the horne, and to escheit, etc.

Apud Sanctandrois, xxvii° Novembris, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.
Joannes Comes de Mar.
David Comes de Craufurd.
Patricius Dominus Lindesay.
Willielmus Magister de Marschell.
Commendatarius Dunfermling.
Commendatarius Barmerinoch.

Proclamatioun to keip the peace.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsell, understanding the present trublis and commotioun within the realme of England, and na wise willing that ony of oure Soverane Lordis trew and obedient subjectis haif interest or melling with the authoris and members of the said commotioun; bot—in respect of the gude intelligence and constant amytie that hes of lang tyme stand and bene observit betuix oure Soverane Lord and his derrest suster the Quenis Majestie of England, thair realmes and dominionis—his Majestie, and his said Regent in his name, ar deliberat be Godis favour and assistance to observe the godlye peace, and to permit nathing be attemptit be his Majesteis subjectis quhilk may tend to the violatioun thairof in ony sort. And thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that parte, charging thame to pas to the mercat croces of the burrowis and townes of Dumfreis, Annand, Hawik, Selkirk, Jedburgh, Kelso, Dunse, Lauder, and all uther places neidfull on the Marches of this realme foranent England, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindry his Majesteis liegis, that thai and ilkane of thame observe and keip the said godlye peace and amytie, and on na wayis do or attempt ony thing quhilk may tend to the violatioun thairof; and that nane of thame tak upoun hand to pas, ryde, or gang, within the realme of England, or ony wayis to have intelligence, or to assist, ressett, favour, or tak part, with the authoris and members of the said commotioun, under the pane of tressoun; with certificatioun to thame that dois in the contrair, thai salbe repute and haldin as commoun inymeis to our Soverane Lord, his authoritie

and commoun welth of this realme, and salbe callit, processit, and persewit thairfoir with all rigour in exemple of utheris.

Apud Edinburgh, octavo die mensis Decembris, anno, etc. lxix°.

Proclama to be in reddines.

Forsamekill as the quiet and publict state of Government quhairwith Almichtie God hes blissit the realme of England during the regnne of the present maist gratious and virtuus Quene thairof, hes of lait tyme bene partlie troublit, throw the tressonabill conspiracy and seditious uproare of certane subjectis in the north partis of the same, quhilkis, pretending diverse and mony occasionis to excuise and cover thair unnaturall defectioun fra the obedience of thair native Soverane, hes nocht onelie presumit to erect the papisticall religioun in the boundis quhair thai have reparit, bot alsua hes rasit the force of oppin weir aganis thair awin cuntre people and nixt nychtbouris, berevand thair gudis and substance conquest be thair trew and honest laubouris, and exponand the same in pray amangis thame. In quhilk licentious and detestabill doying, seing thai can nocht langar proceid,—a sufficient power being in full reddines nocht onelie to restrene thame fra forther forraying and distructioun of the cuntre, bot als to owerthraw and suppresse thair force and cumpany,—thay haif reterit thame selffis northwarde, intending, as may be conjectured, to repair towartis the Bordouris of this our realme, and quhen all hoip of succour within thair awin native cuntre salbe takin frome thame, than to entir in this our realme of Scotland, to leif upoun the gudis and substance of our gude subjectis, and to use the lyke ungodlie oppressioun, as thai haif put in practize in the partis of England that thai haif travellit in during the tyme of this commotioun, gif remeid be nocht quikly providit. My Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, command and charge, all and sindry our Soverane Lordis liegis dwellland in all Sherefdomes upoun the sowth syde of the wattir of Forth, alsweill to burgh as to land, within regalitie as rialtie, betuix sextie and sextene yeris, and utheris fensabill personis, that thai and ilkane of thame, weill bodin in weirlyke maner, with aucht dayis victuallis and provisioun, addres thame to be in full reddines to meit my Lord Regentis Grace, at sic tyme and place, as he sall heireftir be new proclamatioun appoint, upoun xxiiii houris warning, to pas furthwart as thai salbe commandit, for resisting of the saidis rebellious and seditious Englismen, troublaris of commoun peace and quietnes, or for invasioun or persute of thame as occasioun salbe offerit, under the pane of tinsell of lyff landis and gudis.

Promeis to entir Johnne of Thorlishop.

The quhilk day, Archibald Armistrang of Mangertoun, and Martine Ellot of Braidley, obleist thame and promittit faythfullie, conjunctlie and severalie, to entir Johnne Ellot of Thorlishop agane in ward at sic tyme and place as my Lord Regent sould call for him, under the pane of repreving and discrediting.

Vicarage of Elgin.

The quhilk day, my Lord Regentis Grace, at the sute and desire of Alexander Winchestir minister of Elgin, subscrivit ane signatour presentand Williame Douglas to the vicarage of Elgin, as vacand be resignatioun and simpill dimissioun of the said Alexander; quhilk signatour, my Lord Regentis Grace commandit to be deliverit in the handis of Maister Robert Pont Commissionar of the Superintendentrie of Murray, ordaning him swa to do anent the admissioun of the persoun nominat thairin, as he will answer to God and to the Generall Assemble of the Kirk, swa that thair be na just occasioun of complaint in his default.

Apud Edinburgh, decimo die mensis Decembris, anno, etc. lxix°.

Sederunt—

Jacobus Dominus Regens.	Clericus Registri.
Patricius Dominus Lindesay.	Clericus Justiciarie.
Commendatarius de Dunfermling.	Thesaurarius.

Carmichaell. Cuke. Somervile of Humby.

Anent our Soverane Lordis lettres purchest be Williame Carmichaell and Margaret Cuke his spous, makand mentioun; that quhair thai obtenit ane decreit befoir the Lordis of Counsall and Sessioun, conforme to ane uther decreit obtenit be thame befoir the Sheref of Edinburgh, aganis James Somervell of Humby, decerning him and Margaret Winrame his spous, to desist and ceise fra all forder intrometting and withhalding fra the saidis complenaris of thair steding of the four merk land of Eistir Newtoun, houssis, biggingis and yairdis thairof, and to suffer thame to entir thairto, and to brouke the samyn, as the saidis decreittis beris; upoun the quhilk the saidis complenaris rasit letters in the four formes, and be vertew of the samyn the said James Somervell wes lauchfullie put to the horne. And thaireftir the saidis complenaris obtenit utheris letters direct to shereffis in that part, to entir thame to the possessioun of thair said steding; at command of the quhilkis lettres, James Craik messinger past thre sindry tymes to have enterit thame to the possessioun of thair said steding. Nocht the les, the said James Somervile be him self and utheris his complices, bodin in feir of weir, maisterfullie and contempnandlie deforcit the said officiar, declarand him self manifestlie to contempt all authoritie and lawis, as the indorsatioun of the saidis letters beris. And anent the charge gevin to the said James Somervile, to compeir befoir my Lord Regent and Lordis of Secreit Counsall this day, to answer to this complaint, under the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him thairto, lyke as at mair lenth is contenit in the saidis lettres.—Bayth the partiis comperand personalie, my Lord Regentis Grace ordanit the said Williame Carmichaell to caus put the lettres purchest be him to executioun, and certifiit the said James in caise deforcement or impediment wer maid, his Grace wald hald hand that punisement sould be maid and wald alsua se the decreit realie execute.

Apud Edinburgh, xiii Decembris, anno, etc. lxix°.

Grahame of Rampatrik. Irwing. Arthour Grahame. Bessy Grahame.

Anent the complaint presentit hinc inde to my Lord Regentis Grace and Lordis of Secreit Counsall be George Grahame of Rampatrik and Margaret Irwing on the ane part, and Arthour Grahame of Blawotwod and Bessy Grahame on the uther part, at lenth specifiit and contenit in thair supplicationis. The hering thairof being committit be my Lord Regentis Grace to Johne Maister of Grahame, Sir Williame Dowglas of Hawik knycht, Maister James Makgill of Rankelour Nethir Clerk of Register, Sir Johnne Bellenden of Auchnowle knycht Justice Clerk, and Maister James Halieburtoun Provest of Dunde; quha reporting the state of the saidis debettabill materis and findand the greittast occasioun to proceid throw certane marches standand in contraversie betuix the said George and Arthouris landis, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, continewis the saidis materis, in the same forme force and effect as thai ar now, but prejudice of partie, quhill the xxvi day of December instant; and commandit and chargeit bayth the saidis George and Arthour to remane within the burgh of Edinburgh, and na wyis to depart hame to thair dwelling houssis in the menetyme, as thai will answer at thair uttirmest charge and perrell; and als ordanit lettres to be direct to charge Johnne Carrutheris of Holmendis, Charles Murray of Cokpule and sex utheris witnessis—to be nominat and gevin in bill be ather of the saidis partiis—leist suspect and that best knawis the veritie anent the saidis debettabill marches and utheris contraversiis standing betuix the saidis partiis, to compeir befoir the personis commissionaris abonewrittin, or sa mony of thame as sal happin to be in the burgh of Edinburgh for the tyme, the said xxvi day of December instant, to beir leill and suithfast witnessing in sa far as thai knaw or salbe sperit at thame in the saidis materis, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, thai salbe denunceit rebellis and put to the horne, and all thair movabill gudis eschetit and inbrocht to his Majesteis use for thair contemptioun.

Apud Edinburgh, xiiii Decembris, anno, etc. lxix°.

Cautio for Lord Seytoun.

The quhilk day, Mark Commendatare of Newbottill, Johnne Cokburne of Ormistoun, and Williame Lawder of Haltoun, ar obleist, conjunctlie and severalie, that George Lord Seytoun sall entir his persoun in ward within the Castell of Sanctandrois betuix the dait heirof and Sonday nixtocum the xviii day of December instant, under the pane of fyve thowsand pundis; and the said Lord Seytoun obleist him to releif his saidis souerteis and of all pane and danger that thai sal happin to sustene thairthrow.

That nane tak Inglis rebellis in Schippis.

[Preamble as above, p. 67, down to "force and cumpany."] Thay have retired thame selffis bak, of purpois as is conjectured, and as it is cum to the earis of my Lord Regentis Grace, seing all hoip of succour within thair awin native cuntre is takin frome thame, to pas to the seyis,

and thair ather to pluk and use piracie upoun the trew marchandis usand thair lefull traffique and to spoyle thame of thair leill win geir, as thai have put in practize in the partis quhair thai have reparit during the tyme of this commotioun; or than as disparat men to reteir thame selffis to forayne cuntreis to eschew the dew punisement of thair deserving, and to provoke strangearis to invaid the quiet state of this haill Ile. Quhairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis lettres to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, command and charge all and sindry Maisteris, skipparis, and marinaris of all Scottis schippis within this realme, or ony belangand to the same or dominioun thairof.—That nane of thame tak upoun hand to ressave within thair schippis, crayaris, or boittis, under quhatsumevir pretense or cullour, ony of the saidis rebellious Englismen, troublaris of commoun weill and quietnes, for careing and transporting of thame to quhatsumevir uther cuntre or natioun; or haif intelligence with thame in ony sort; under the pane of tressoun; with certificatioun to thame that dois in the contrair, thay salbe repute haldin estemit and demanit as tratouris and commoun inymeis to our Soverane Lord and his authoritie and commoun welth of this realme, and persewit thairfoir with all regour in exempill of utheris.

Apud Edinburgh, xv Decembris, anno, etc. lxix°.

Cathcart of Ararow.

Schaw of Haly and his complices.

Anent our Soverane Lordis letters rasit at the instance of Hew Cathcart of Ararow, makand mentioun;—that quhair in the moneth of Maii last bipast or thairby, Johnne Schaw of Halie, Johnne, David, James, and Gilbert Schawis his sonnis, Thome Campbell of Devanan, David Schaw callit the Pedder, and Thomas Kennedy sone to David Kennedy in Knokdaw, Patrick Huntar, Patrik Blak thair, Johnne Hannay thair, Johnne Makgowy in Kerris, Johnne Murray thair, Johnne M°Quhanye in Moss, Andro M°Quhen, Edward M°Grem, Johnne M°Guffoc, Johnne M°Grem, Andro Bisset, Donald M°Clino, Hew Steneston alias Smyth,—dwelland within the landis of Kerris, servandis to the said Laird, and utheris thair complices and servandis, to the nowmer of fifty persons or thairby, bodin in feir of weir, with jak, steilbonet, and instructit with all maner of wappynnis invasive, and that of the verie causing of the said Johnne Schaw of Halie, in maner of convocatioun, come to the said Hew Cathcartis landis of Ararow, and thair upoun force and be way of deid, houndit wirreit drownit and ane part clippit at thair inordinat plesour his and his tenentis scheip, to the nowmer of ane hundrith or thairby, thay beand in his peciabill ground pasturand—beleving na hurt nor wrang, bot to leve peciabillie as utheris our Soverane Lordis fre liegis; committand thairthrow not onelie manifest wrang and oppressioun, bot als makand convocatioun of his Majesteis liegis to the disquieting of the cuntre, aganis all ordour and actis of Parliament; gevand thairby evill exempill to utheris seditious personis and wickit oppressouris to do the lyke in tyme cuming gif remeid be not providit. And anent the charge gevin to the saidis personis, to compeir befoir my

Lord Regentis Grace and Lordis of Secreit Counsall this day, to answer to the complaint abonewrittin under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit, letters sould be direct simpliciter to put thame thairto, lyke as at mair lenth is contenit in the saidis lettres, executioun and indorsatioun thairof. The said Hew Cathcart comperand personalie and the foirsaidis personis being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to officiaris of armes, Sheriffis in that part, to denunce the foirsaidis personis and everie ane of thame our Soverane Lordis rebellis and put thame to the horne, and to escheit, etc., becaus thai wer chargeit heirto of befoir under the pane of rebellioun, with certificatioun as said is, and dissobeyit.

Meldrum.

Anent our Soverane Lordis letters rasit at the instance of Maisteris Williame Meldrum and George Meldrum, lauchfull sonnis to umquhile Maister Thomas Meldrum of Segy, and executouris testamentaris lauchfullie confirmit to him and als legatouris to his haill gudis and geir, makand mentioun,—that quhair eftir lang proces sustenit be the saidis complenaris befoir the Lordis of Sessioun, thay obtenit decreittis befoir thame aganis Alexander Meldrum of Donyface, sone and air of the said umquhile Maister Thomas, decerning him to have done wrang in the wrangus violent and maisterfull spoliatioun, awaytaking, resetting, intrometting with and withhalding,—be him self his servardis and complices in his name, of his causing, command, assistance and ratihabitioun,—of certane cornis pertening to the saidis complenaris as executouris and legatouris foirsaidis; and thairfoir to restoir and deliver to thame the samyn agane, or the avale and prices thairof, extending to nyntene hundrith merkis or thairby, as the said decreit mair fullelie proportis. Quhairupoun the saidis complenaris rasit our Soverane Lordis letters, to poind and distrenye the said Alexander his gudis and geir for the saidis termis and prices thairof as said is. At command of the quhilkis letters, the shereffis and officiaris contenit thairin past, serchit, and socht the saidis Alexanderis movabill gudis strenyeabill for the saidis sowmes, and apprehendit diverse his cornis in the barne and barneyaird of his landis of Newhall, and offerit and preparit thame to have threschin the saidis cornis and to have apprysit the samyn, conforme to the saidis letters, upoun the secund and fyft dayis of December instant. Nevirtheles the saidis officiaris wer stoppit thairin and deforceit be the said Alexander and utheris in his name,—of his causing, command, assistance and ratihabitioun,—swa that the executioun of the said decreit is allutirlie frustrat, albeit my Lord Regentis Grace, eftir pane takin be him for appointing the mater amangis thame, could bring the same to na ressonabill dress on the said Alexanderis part; and in consideratioun thairof and setting furthwart of justice, direct ane speciall servand quha tuke and deliverit the keyis of the said barne of Newhall to the saidis officiaris at my Lord Regentis Grace lait being in Fyff for thresching and apprysing of the saidis cornis, quhilkis immediatlie eftir his cuming ower

Meldrum of Donyface.

on this syde of the watter, wes violentlie and perforce takin fra thame, and thai put thairfra and deforceit as said is, in hie contemptioun of our Soverane Lordis authoritie and lawis, and in evill exempill, to utheris likewyis to contempt and vilipend all authoritie and ordour of justice, and to disordour and troubill thairthrow the quiet estait of peciabill and incuntreis, gif tymous and scharp remeid be not providit aganis the said Alexander to the feir and dredour of utheris to attempt the lyke in tyme cuming. And anent the charge gevin to the said Alexander, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to answer to the said complaint under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof.—The saidis complenaris comperand personalie, and the said Alexander being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to officiaris of armes, Shereffis in that part, to pas and denunce the said Alexander our Soverane Lordis rebell and put him to the horne, and to escheit etc. becaus he wes chargeit heirto of befoir under the pane of rebellioun, with certificatioun as said is, and dissobeyit.

Apud Edinburgh, xviii Decembris, anno, etc. lxix°.

Proclamatioun aganis the Inglis rebellis.

Forsamekill as it is not unknawin to our Soverane Lordis loving and gude subjectis how the quiet state of the realme of England, continewit during the regnne of his dearest suster and cousignes the present Quene thairof, to the commoun welth and commoditie of bayth the realmis, is not onelie laitlie troublit in the north partis of the same, be the seditious uproare of certane seditious people hir subjectis, quhairthrow mony gentilmen and trew men have bene heriit and spulyeit of thair propir gudis and substance, and the professouris of the trew religioun banished, persecuted and thair gudis exponit in pray to the saidis rebellious people, quhilk thai have usit at thair licentious appetite without feir of God or reverence of thair native Soverane; bot als the same rebellious people unabill to resist the force preparit for restrening of thair insolence and crueltie, hes withdrawin thame selffis towardes the Bordouris of this realme, tending, as weill apperis, to entir with displayit baneris in weirlike maner within the same, and to use the lyke heirschip, spuilye and oppressioun upoun our Soverane Lordis trew and faythfull subjectis, in spending and distructioun of thair gudis and substance, being that thing quhairon thai, thair wyffis and bairnis, mon leif and be sustenit; and alsua gif it sall stand in thair power to erect and set up agane the papisticall ydolatre and abhominabill messe within this cuntre, abolishit be the sinceir precheing of the Word of God, and be the lawis and Actis of Parliament, gif thair attemptattis be nocht substantiouslie resistit. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing all

and sindry our Soverane Lordis liegis betuix sextie and sextene yeris, and utheris fensabill personis, alsweill dwelland to burgh as to land, within regalitie as rialtie,—within the boundis of the Sherefdomes of Edinburgh principall, and within the Constabularie of Hadingtoun, Linlythquow, Berwik, Roxburgh, Selkirk, Peblis, Lanark within the over ward of Cliddisdaill, Drumfreis, Stewartreis of Kirkcudbrycht and Annanderdaill,—that thai and ilkane of thame, weill bodin in feir of weir, with ten dayis expenssis and provisioun in thair pursis, addres thame selffis, bayth on fute and hors as thai can be servit, to pas furthwart and meit my Lord Regentis Grace at Peblis, upoun Twysday the twenty day of December instant, and to remane and attend upoun him during the said space of ten dayis as thai salbe commandit, for resisting of the invasioun and entering of the said rebellious and seditious Englismen, in this realme, and persute of thame, all occasioun salbe offerit, quhill all feir of thair troubill be removit; as all our Soverane Lordis liegis within the saidis boundis will declair thair trew obedience to his Hienes and his authoritie for the defence of their native cuntre, for the preservatioun of thair wyffis and bairnis, and for the liberty of the trew religioun, quhilk be Goddis favour thai presentlie enjoy, and under the pane of tinsall of lyff, landis and gudis.

Apud Edinburgh, xix Decembris, anno, etc. lxix°.

Proclamatioun aganis the Inglis rebellis.

[Preamble as in immediately preceding minute]. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing all and sindry our Soverane Lordis liegis, betuix sextie and sextene yeris, and utheris fensabill personis, alsweill dwelland to burgh as to land, within regalitie as rialtie, within the boundis of the Sherefdomes of Fyff, Kinross, Clakmannane, Striveling, Perth, Stewartreis of Stratherne and Menteith, Forfar, Kincardin, Wigtoun, and Baillieries of Kyle, Carrik, and Cunynghame, that thai and ilk ane of thame, weill bodin in feir of weir, with xv dayis provisioun and expenssis in thair pursis, addres thame to be in full reddines to meit my Lord Regentis Grace, at sic tyme and place as he sall heireftir be new proclamatioun appoint, upoun xxiiii houris warning to pas furthwart as thai salbe commandit, for resisting of the saidis rebellious and seditious Englismen, troublaris of commoun peace and quietnes, or for invasioun and persute of thame, as occasioun salbe offerit, under the pane of tinsall of lyff, landis, and gudis.

Apud Kelso, octavo Octobris, anno, etc. lxix°.

Windegaittis.

Anent the complaint maid be Male Windegaittis, makand mentioun.—That quhair schö obtenit ane deliverance of the Lordis of Secreit Counsall, at Jedburgh the xviii day of October the yeir of God j^{m}v^{c}lxvi yeris, aganis Walter Ker of Cesfurde knycht than Wardane of the Middill Marches of this realme, for payment to hir of the sowme of thretty sevin pundis nyne-

Cesfurde.

tene schillingis sterling, or reentre of the man deliverit to him for payment of the same; and thairupoun schö obtenit lettres of the Lordis of Counsall, for poinding of the said Sir Walter for the sowme foirsaid, and can have na executioun of the saidis lettres, nor yit payment of the said sowme without remeid be providit. And anent the charge gevin to the said Sir Walter, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to answer to the said complaint, the said Male comperand personalie and the said Sir Walter alsua comperand personalie, allegit that Johnne Rutherfurde of Hunthill sould releif him of the premissis, and the said Johnne Rutherfurde being alsua present grantit the same and tuke the burding thairof upoun him, and the said Male Windegaittis acceptit him for debtour and dischargeit the said Sir Walter simpliciter in tyme cuming. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, decernis and ordanis letters to be direct, chargeing the said Johnne Rutherfurde of Hunthill to mak payment to the said Male Windegaittis of the said sowme of thretty sevin pundis xix ß. sterling, or re-entre of the man that wes deliverit for payment of the same, within xx dayis nixt eftir the dait heirof; and in cais he failye, ordanis letters of horning or poinding to be direct aganis the said Johnne Rutherfurde for payment of the said sowme.

Apud Edinburgh, xxvii Decembris, etc. lxix°.

Forsamekle as the contempt of the Kingis Majesties authoritie, of the lawis and ordinar justice of this realme, is the grund and fontane fra quhilk all confusioun procedis; and amangis utheris evillis the dissobedience of the proces of hornyng, with the deforsing of ordinar officiaris in thair executionis, is sa greit and commoun that the personis deforsaris and denuncit rebellis takis na feir thairof, and the parteis hurt and interest that hes obtenit decretis and letters, with thair infinite expenssis and coist, can gett na executioun nor redres. And howbeit be ane act and ordinance maid be Lordis of Sessioun, it wes providit that all officiaris immediatlie efter thair denunciatioun of ony personis to the horne, sould pas to the Sheref of the Schire quhair thay duelt and intimat to him the same, requiring him in our Soverane Lordis name and authoritie to mak ane just inventour of all thair guidis, to the effect that the same mycht be inbrucht to his Hienes use for thair contemptioun, and that the saidis officiaris sould deliver to the said shereff ane autentik copy of the saidis letters, with thair executionis of the same subscrivit with thair hand, and within viii dayis thaireftir, sould pas to the Thesaurare or his clerkis, and deliver to thame ane uther autentik copy of the saidis letters with thair executionis of the same, in like maner subscrivit with the saidis officiaris handis, to the effect foirsaid, conforme to the said Act and ordinance.—Nevirtheles, the same hes bene neglectit for the maist parte and na wayis followit be the saidis officiaris, swa that the impunitie of sic haynous attemptatis and oppin re-

bellioun, hes brocht oure Soverane Lordis authoritie in contempt, and maid the multitude of rebellis sa greit, as it salbe difficill to knaw thame fra the Kingis obedient subjectis, without sum hasty remeid be providit; notwithstanding that be the foirsaid ordinance of the Lordis of Sessioun and utheris lovable lawes and Actis of Parliament estableschit be oure said Soverane Lord and his maist nobill progenitouris sufficient ordour be takin for avoiding of the said confusioun; yit the neglect of executioun thairof hes bred the present inconvenience. Quhilk now my Lord Regentis Grace for the universall weill of the Kingis Majesties subjectis, presentlie intendis, as God sall grant opportunytie, to remeid; and thairfoir his Grace, with avise of the Lordis of Secreit Counsell, ordanis the Justice Clerk and his Deputis, to mak ane roll and ane extract of all personis denuncit, and presentlie remaning rebellis and at the horne, aganis quhome letters ar reportit deulie execute and indorsat, or upoun domes pronuncit for caisses criminall,—sen the coronatioun of oure Soverane Lord, and during the space of befoir as my said Lord Regentis Grace sall command; and siclike ordanis the Clerk of Register and his deputis to mak ane roll of all personis rebellis gevin in at the Chekker comptis the yeris bipast; or ellis to deliver the letters thairupoun with the executionis to his Grace. And in like maner, ordanis the Thesaurar and his Register, to mak ane roll of all escheittis disponit, and of all respectis or remissionis grantit, during the tyme foirsaid, and to deliver the saidis rollis to his Grace within the space of aucht dayis efter the publicatioun heirof; and rycht swa, ordanis letters to be direct, chargeing all and sindrie personis, quhilkis hes ony letters of hornyng alreddy execute aganis quhatsumevir parteis for ony civile caus, or for not finding of lawborrowis, that thay present the copy of the letters of hornyng, with the double of the executionis thairof, in autentik forme to the Thesaurar or his clerk, within the space of ane moneth efter the publicatioun of this present Act at the mercat croce of the heid burgh of the schire quhair thay duell; to the effect that the names of the haill personis rebellis within this realme may be knawin and ane roll maid thairupoun be imprintit, and the double thairof affixt in my Lord Regentis Graces ludgeing quhairevir his Grace happynnis to be for the tyme; on the mercat croce of Edinburgh; and als upoun all mercat croces and tolbuith durris within this realme; swa that nane of the personis rebellis contenit in the said roll—in cais thay be outher Juges, members of Court or publict officiaris—have place to sit in jugement to minister justlie, or to beir or exerce publict office; nor yit that ony utheris personis contenit in the said roll of rebellis, have place to stand in jugement to persew thair actionis, criminalie or civilie, quhill first thay have obtenit thameselffis ordourlie relaxit fra the processe of hornyng, schaw thair relaxatioun to the Juge, and require him to delait thair name furth of the said roll. With certificatioun to the haivers of the saidis letters of hornyng sua execute befoir the dait heirof, that gif thai failye in presenting of the same within ane space of ane moneth efter the publicatioun of this present Act; in that cais the saidis letters producit thaireftir salbe vode and mak na

prufe, or have ony executioun for the rycht of the party; bot he salbe haldin to rais new letters, and to caus mak new executionis upoun the same, as gif the formar letters had nevir bene raisit nor execute, without prejudice alwayis of the Kingis rycht and actioun to the eschete, or utherwise, of the partie denuncit be vertew of the hornyng execute at command of the first letters. And the personis abstracters and conceillaris of the saidis letters of hornyng, ower and beyond the said moneth efter the publicatioun of thir presentis and in all tymes cuming efter the denunciatioun of the personis rebellis, to be repute culpable of favoring and mantenyng of the Kingis rebellis, and defrauders of his Hienes proffite and commoditie dew to his Majestie be the said hornyng, and to be persewit and accusit thairfoir at justice airis, particular diettis, or uther wayis as it sall pleis the Thesaurar and Advocattis to persew, according to the lawes of this realme, and generall bandis maid to the Kingis Majestie and his predecessouris anent sic caissis. And in caise ony of the saidis rebellis sal happin to repair in my Lord Regentis Graces house in the Tolbuith of Edinburgh, or in ony uther publict place of justice, or frequent to kirk or mercat amangis oure Soverane Lordis fre liegis; that than the Sheref, Provost, and Baillies of Edinburgh, and all utheris Schereffis, Stewartis, and Baillies, Provestis, Aldermen, and Baillies of Burrowis, and Lordis of Regaliteis ower all this realme, and all utheris quhome it sall pleis my Lord Regentis Grace to charge gif commissioun to for that effect, tak and apprehend the saidis personis rebellis; and put and hald thame in ward quhill justice be execute upoun thame, gif thay be at the horne for a criminall cause; or gif thay be denuncit for a civile cause, quhill thay have obtenit thame selffis relaxit fra the processe of hornyng led upoun thame as the saidis Stewartis, Schereffis, Baillies, Provestis, Aldermen, and Baillies of Burrowis, Lordis of Regaliteis and utheris officiaris, will answer upoun thair charge and perrell. Quhairin gif thay failye thay salbe callit, accusit, persewit, and punist thairfoir, conforme to the Actis of Parliament, and generall bandis maid to the Kingis Majestie and his progenitouris anentis sic caissis. And farther, quhen evir ony party presentis letters of hornyng to the Thesaurar or his Clerkis, thay sall, with diligence, rais letters and direct the same to the Scheref of the schire or his deputis, or ellis to sum discreit and trew officiar of armes, at the discretioun of the Thesaurar or his clerkis, commanding thame to serche, seik, intromett, and uptak the escheit gudis and geir of the rebellis. And in cais the persoun rebell be at the horne for speciall sowmes of money and debt, the Thesaurar at his discretioun sall lat the partie complinar haif payment of the haill or parte of his debt, as the quantitie of the escheit gudis may beir, of the first and reddiest thairof; providing that the partie complinar mak the expenssis of the officiar that salbe direct for uptaking of the saidis eschete guidis, quhill the eschete itself may mak the expenssis; and than the haill expenssis to be takin of the escheit. And in cais the officiar direct for uptaking of the said escheit beis violentlie deforsit and stoppit in the executioun of his office, than upoun the complaint of the said officiar or

partie, to be maid to my Lord Regentis Grace and Lordis of Secreit Counsall, letters salbe granted charging the Shereff of the schire and his deputis, and—failyeing that the Schiref will not or may not—sum Nobleman, Barroun, or Gentleman of gude power within the Sherefdome, best affectit to the furthsetting of oure Soverane Lordis aucthoritie and service, charging thame to convocat oure Soverane Lordis liegis in weirlike maner, and to pas and concur with the said officiar that befoir wes deforsit and stoppit, and se the command of the letters execute realie and with effect, befoir thay departe of the grund quhair the escheit guidis remanis; in the quhilk executioun thay sal haif all privilegis, fredomes, and immunyteis that ar granted be the lawes of this realme, to sic as persewis the Kingis rebellis to bring thame to the lawes; and ordanis letters for publicatioun heirof at all mercat croces, and utheris places neidfull as efferis.

The Counsale Buke begynnand in the Governament of the Erll of Mar Regent, in September 1571.

Apud Striveling, quinto die mensis Septembris, anno Domini $j^{m}v^{c}$ septuagesimo primo.

Sederunt—Domini presentes.[1]

[Matters aggreed upon touching the election of a Regent.[2]]

[Leet nominated for the Regency: John Earl of Mar elected Regent.[3]]

Striveling, 6 September 1571.

[Protest by the Earl of Mar after he was chosen Regent.[4]]

[The Earl of Mar accepts, after the protest, the office of Regent.[5]]

[Articles aggreed upon between the Regent and nobility.[6]]

[The Lord Regent's oath.[7]]

[The oaths of the Lords, Prelates, commissioners of burghs, barons, and gentlemen.[8]]

[Band to the King.[9]]

Striveling, 7 September 1571.

[Lords chosen members of the Council.[10]]

[Admonition to the rebels who withhold Edinburgh—ordering the town to be set at liberty.[11]]

[Proclamation to meet at Leyth for recovering the Burgh and Castle of Edinburgh from the rebels.[12]]

Eglintonis libertie of the castell of Doune.

The quhilk day, forsamekle as my Lord Regentis Grace, with avise of the Lordis of our Soverane Lordis Secrete Counsale, having sene the act maid at Leith the nynt day of Julii 1571 yeris, in effect proportand that umquhile my Lord Regentis Grace, with avise of Secrete Counsale, commandit the Capitane, Constable, and Keparis of the castell of Doun to put Hew Erle of Eglintoun to libertie furth of the said castell,—the said Erle first enter- and his eldest sone in the Castell of Striveling, and causand his brother to remane in the said Castell of Doun pleges for the said Erlis re-entrie or appointment for his obedience to the Kingis Majestie and his auctoritie; and the said re-entrie being last of all continewit to the sext day of September instant, the said Erle of Eglintoun hes realie and with effect,

[1] Printed in Acts of Parliament, iii. p. 65. [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] P. 66. [6] *Ibid.* [7] P. 67. [8] Printed in Acts of Parliament, iii. p. 67. [9] P. 68. [10] P. 69. [11] *Ibid.* [12] P. 70.

according to the article subscrivit with hes hand at Striveling the xii day of August last bipast 1571 yeris, subscrivit his debtfull obedience to the Kingis Majestie, and Johnne Erle of Mar Lord Erskine, now our Soverane Lordis Regent. Thairfoir the said Lord Regent, with avise of the Lordis of Secrete Counsell, dischargeis and exoneris the said Erle of Eglintoun of ony re-entre in the said Castell of Doun; as alsua commandis and charges the Constable and Keparis of the Castell of Striveling to put the said Erle of Eglintonis sone and apperand air to full liberty furth of the said Castell, that he may repair hame with his said father or quhair he pleissis; and attour be thir presentis discharges all penalties of sowmes of money for ony allegit non re-entrie of the said Erle contenit in the foirsaid act in ony tyme maid sensyne discharging him thairof and his plegis for evir. Subscrivit by my Lord Regentis Grace.

Cassillis dischargit of re-entre in ward.

The quhilk day, forsamekle as my Lord Regentis Grace, with avise of the Lordis of our Soverane Lordis Secrete Counsell, having sene the act maid at Leith the nynt day of Julii 1571 yeris, in effect proportis that umquhile my Lord Regentis Grace, with avise of Secrete Counsell, commandit the Capitane, Constable and Keparis of the Castell of Dumbertane, to put Gilbert Erle of Cassillis to libertie furth of the said Castell, the said Erle first enterand his brother in the Castell of Striveling; and siclike entered Johnne Kennedy, sone and apperand air to Hew Kennedy of Bargany, in the Castell of Dumbertane, and plegis for the said Erlis releif or appointment for his obedience to the Kingis Majestie and his auctoritie; and the said re-entrie beand to the xx day of August last bipast, the said Erle of Cassillis hes reallie and with effect, according to the article subscrivit of befoir at Kilmarnok, the xx day of August last bipast 1571 yeris, subscrivit with his debtfull obedience to the Kingis Majestie and Johnne Erle of Mar Lord Erskin, now our Soverane Lordis Regent. Thairfoir the said Lord Regent, with avise of the Lordis of Secrete Counsell, dischargis and exoneris the said Erle of Cassillis of ony re-entre in the said Castell of Dumbertane; as alsua commandis and chargeis the capitane, constable and keparis of the Castell of Dumbertane to put the said Johnne Kennedy, sone and apperand air to Hew Kennedy of Bargany, to full libertie furth of the said Castell, that he may repair hame to his said father or quhair he pleassis; and attour be thir presentis discharges all penalties of sowmes of money for ony allegit nonentrie of the said Erle contenit in the foirsaid act maid at Leith or continewatioun of the said act in ony tyme maid sensyne, discharging him thairof, and his brother and the said Johnne plegeis thairof, for evir.

Apud Striveling, octavo die mensis Septembris, anno, etc. lxxi°.

Declaratioun of Mr. Archibald Dowglas admissioun to the personage of Glasgow.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Articles of Parliament be Maister Archibald Douglas, Persoun of Glasgow, ane of the ordinar Senatouris of oure Soverane Lordis College of

Justice, makand mentioun.—That quhair upoun gude occasioun it pleasit our said Soverane Lord, with avise and consent of umquhile his dearest guidsire and Regent, to present the said Maister Archibald to the Personage of Glasgow, vacand in his Majesties handis for the tyme, requiring the Kirk, Minstery, and Superintendentis in that part to admit him thairto with condigne testimony, as the Letteres of Presentatioun grantit thairupoun at mair lenth beris; conforme to the quhilkis he hes at diverse tymes bigane obedientlie offerit his doctrine and qualificatioun to have bene tryit and examinat before thame, lyke as he is yit reddy thairto. Nevirtheles, thay have delayit to accept and ressave him thairto, unles he wald ressave ane order be thame prescrivit, submittand him to be removit fra his said Benefice at thair pleasour; and in lik maner, in caise he mak not residence and minstratioun at the kirk of his said personage, the said benefice to be vacand, as thair forme of presentatioun and autentik instrument schewin beris; quhairunto he can na way be subject, sen he is ane of the ordinar nowmer of the said College of Justice, and thairby sworne and astrictit to attend thairupoun for administratioun of justice; quhairthrow he is frustrat of admissioun to the said Benefice, in contrar the tennour of the saidis Letters of Presentatioun, without ony lauchfull caus or occasioun, having na uther benefice nor providit forme of lyff quhairby his ressonable charges may be sustenit being in sa honorable ane office; quhilk may be occasioun that baith he and the remanent of thame that bruikis or that sal happin to bruik sic rowme and functioun, sal be constrenit to leif the same honorable office, without remeid be providit thairto; and yit he is weill myndit to sustene ane minster for minstratioun of Godis word in sic sort and with sic stipend as hes bene grantit thairat of befoir. My Lord Regentis Grace and Lordis of the Articles of this present Parliament having considerit the supplicatioun abonewrittin, and in respect that the compliner is ane of the ordinar nowmer of oure Soverane Lordis Sessioun and College of Justice, findis that his Presentatioun—togidder with the refusall of the kirk abonewrittin, is and salbe sufficient provisioun and richt to the said compliner for bruiking and posseding of the benefice abonewrittin during his lyvetyme, makand and declarand the same to be als lauchfull and sufficient in the self as gif he had bene admittit and ressavit thairto be the commissioner of Glasgow be his letters of collatioun—with this testimoniale in writt thairupoun; and ordanis ane act of Secreit Counsell to be maid to that effect, becaus the said Lord Regent and Lordis of Secreit Counsale hes sene the instrument of refusall abone expremit.

Apud Leith, xiii° die mensis Septembris, anno Domini j^{m}v^{c}lxxi°.

Capitane David Hume.

Anent our Soverane Lordis letters past be deliverance of the Lordis of Secrete Counsale, purchest be Capitane David Hume, makand mentioun.—That quhair he being constitute be umquhile my Lord oure Soverane Lordis guidsire now resting with God, Chalmerlane, uplifter, and ressaver of the males, fermes, and deweties of the landis, rowmes and possessionis

quhilkis pertenit to William Maitland, sumtyme apperand of Lethingtoun, obtenit letters, charging the personis addictit and instrictit in payment of the same, to mak thankfull payment to the said Capitane thairof, as the letters grantit to him thairupoun at mair lenth beris; quhilkis letters being execute upoun Robert Lauder of Pupill knycht, being addettit to him of the sowme of foure scoir pundis money, and awand be him of the terme of Martymes last bipast, and upoun James Olyphant anent the payment of fourty thre pund vi s. viii d. awand to the said Capitane for the males of the landis of Stevinsoun with the pertinentis, of the terme of Martymes last bipast; thay for certane frivoll caussis obtenit the saidis letters suspendit be calling of him befoir the Lordis of Sessioun, quhairthrow he can obtene na payment of the saidis sowmes, albeit he hes tane allowance thairof in his comptis maid befoir the Commissioners Depute be the said umquhile Lord Regent, and is restand and awand the same to his suldartis, quhilkis daylie urgis him for payment thairof, and chieflie sen the Lordis of Counsell makis na residence in Sessioun for deciding upoun the saidis letters of advocatioun. And in respect the said silver is awand be the said capitane to his suddartis, and suld be applyed for thair outred and sustentatioun, oure Soverane Lordis letters aucht to be granted for the uplifting thairof, but ony proces of law, at the leist summar triall aucht to be takin thairanent. And anent the charge gevin to the said Robert Lauder of Puppill knycht, and James Olyphant, to compeir befoir umquhile oure Soverane Lordis guidsire and Regent and Lordis of Secrete Counsell at ane certane day bipast, to heir and se letters direct to arreist, compell, poind and distrinye thame and ilkane of thame respective for thair awin partes, thair landis, and mak penny of thair reddiest guidis, and failyeing of thair movable guidis to apprise thair landis, eftir the forme and tennour of the Act of Parliament, to the avale and quantitie of the sowmes of money respective abonewrittin restand awand be thame to the said complinar as said is, notwithstanding the saidis pretendit letters of suspensioun and noncalling thairof; or ellis to allege ane ressonable caus quhy the same suld not be done; with certificatioun to them and thay failye, letters suld be direct in maner foirsaid, lyke as at mair lenth is contenit in the saidis letters. Quhilkis being callit, and the saidis Robert Lauder and James Olyphant not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct to officiaris of armes, charging thame to pas, arreist, compell, apprise, poind and distrenye the saidis personis and ilkane of thame, for thair awin partes, thair landis, and mak penny of thair reddiest guidis, and failyeing of thair movable guidis, to apprise thair landis, eftir the forme and tennour of the Act of Parliament.

The quhilk day, anent oure Soverane Lordis letters purchest be Jane Brounfeild, relict of umquhile David Spottiswod of that Ilk, aganis George and Robert Spottiswoddis hir sonnes, charging thame to permit hir and hir servitouris in hir name peciablie intromet with the cornis, thresche out Jane Brounfeild.

and dispone the same, to the effect that thairwith she may satisfie hir dettis and legaciis contenit in the testament, within xxiiii houris nixt efter the charge, under the pane of rebellioun and putting of thame to the horne; or ellis to compeir upoun the thrid day eftir the charge and schaw ane ressonable caus quhy the samyn suld not be done, with certificatioun to thame and thay failyeit, letters of horning suld be direct simpliciter upoun thame to the effect foirsaid.—The said Robert comperand producit the copy of the saidis letters, allegeand he had diverse dayis awaitit upoun the calling thairof, and thairfoir desirit the same to be callit be the copy; quhilkis letters being callit, and the said Jane Brounfeild persewar not comperand, the said Robert protestit for him and his said bruther that he had satisfeit the command of the saidis letters, and that thay suld not be haldin to answer heireftir be vertew of the saidis letters, quhill thay wer newly chargit and thair expenses pait; quhilk protestatioun my Lord Regentis Grace admittit.

Apud Striveling, xxii die mensis Septembris, anno Domini j^{m}v^{c}lxxi^{o}.

Forsamekle as anent our Soverane Lordis letters past be deliverance of the Lordis of Secrete Counsale at the instance of the kin and freindis of Johnne Levinax of Wodheid, makand mentioun—That quhairupoun the sevintene day of September instant he being solitar at his prayers beside his duelling place of Wodheid, belevit na evill of ony persoun bot to have levit under Godis peax and the Kingis; not theles the sonnes and brethir of James Kincaid of that Ilk, upoun sett purpois, cruellie invadit the said Johnne, and wondit and hurt him in diverse partes of his body, to the effusioun of his blude in great quantitie, and maisterfullie and perforce tuke him with thame to the place of Kincaid, quhair thay detene him captive as yit, in hie contemptioun of our Soverane Lord and his auctoritie. And anent the charge gevin to the said James Kincaid of that Ilk, James Kincaid youngar, his sone and apperand air, Robert Kincaid, brother to the said James Kincaid elder, George Kincaid his sone, and Malcolm Kincaid to put the said John Levinax to libertie and fredome within sex houris efter the charge, under the pane of rebellioun and putting of thame to the horne; and gif thay failyeit thairin, to denunce thame rebellis and put thame to the horne, and eschete and inbring, etc. And also anent the charge gevin to the saidis personis, to compeir befoir my Lord Regentis Grace and Lordis of Secrete Counsale this day, to answer to the complent abonewrittin, and to underly sic order and directioun as suld be takin thairanent under the said pane of rebellioun; and gif thay failyeit to put thame to the horne, and to eschete, as the saidis letters and executionis thairof beris. Quhilkis being callit, comperit the said Johnne Levinax of Wodheid being put to libertie on the ane part; and James Kincaid of that Ilk, and Macolme Kincaid of Kinkell on that uther part, personalie.

And the saidis James Kincaid youngar of that Ilk, Robert Kincaid, and George Kincaid, being oftymes callit and not comperand; my Lord Regentis Grace ordanis the saidis letteres to be put to farther executioun aganis the saidis personis not comperand, and thay to be denuncit rebellis and put to the horne, and all thair movable guidis eschetit and inbrocht to our Soverane Lordis use for thair contemptioun.

Apud Leith, quarto die mensis Octobris, anno Domini j^{m}v^{c}lxxi.

Sederunt—

Joannes Comes de Mar Regens.
Jacobus Comes de Morton Cancellarius.
Joannes Comes de Montroise.
Gilbertus Comes de Cassillis.
Robertus Comes de Buchane.
Magister Ergadie.
Willelmus Dominus Ruthven.
Joannes Dominus Glammis.
Patricius Dominus Lindsay de Byris.
Robertus Dominus Boyd.
Henricus Dominus Methven.
Robertus Commendatarius de Deir.

[Andro Moscrop and William Stevinsoun burgesses of Edinburgh are denounced rebels for failure to appear before my Lords as summoned.]

Apud Leith, 5 October 1571.

Proclamation that nane invaid utheris.

The quhilk day, my Lord Regentis Grace, with avise of the Lordis of Secrete Counsale, having convenit our Soverane Lordis lieges for recovery of the burgh of Edinburgh furth of the thraldome and tyranny quhairwith it hes bene opprest this lang tyme bipast,—it being the capital toun of the realme, quhair the seit of justice wes placit and quhair the principall concourse of all noblemen and honest men alsweill of this realme as of strangearis wes accustumat to be; quhairthrow not only the honest inhabitantis and pure people of that toun hes bene grevouslie troublit, bot als the haill realme is inquietit and put to great and intollerable expenssis, to the apperand decay and overthraw of the haill commoun weill. It is thocht gude in consideratioun of the necessitie of the caus, quhairon dependis the preservatioun of the King and of his gude subjectis, that during the tyme of the present army, and quhill the same be dissolvit, all men superseid and lay aside thair privat grudges and particular querrellis alsweill for auld feid as for new, and bend thameselffis only aganis the inemeis; and for the furtherance of the service meit it is also that all noblemen and utheris draw thame to the camp and addres thame to ly on the feildis in palyeonis, without the quhilk na certane order can be observit nor na expeditioun be in the service; and likuise considering the Provest of Dundie, Colunnell of his Hienes futmen, and sum utheris of his Hienes gude subjectis takin sen the begynning of the troubles be the adversaires ar still haldin presoners and can not be relevit for band, ran-

soun, nor be interchanging of utheris presoners for thame; it is thocht expedient that all personis takin presoners be ony of our Soverane Lordis trew liegis sen the begynnyng of the saidis troubles and lettin to band, be callit agane to thair entrie, and being enterit that thay be detenit and not lettin to band of new during the tyme of the necessitie of the present service. Thairfore ordanis letters to be direct to command and charge all and sindre oure Soverane Lordis liegis convenit to this present army—at command of the proclamationes or depending on his Hienes service in ony wyse,—that nane of thame tak upoun hand to invade molest or persew utheris, outher for auld feid or new, or yit mak provocatioun of displeasour to utheris in word deid or countenance, outher in thair cuming to the said army, remaning thairat, or departing fra the same, ay and quhill the dissolutioun and departing of the same and aucht dayis thaireftir, under the pane of deid; with certificatioun to thame that dois in the contrar, thay salbe repute and haldin as wickit and seditious personis, hinderars of the Kingis service and inemeis to the commoun weill; and the said pane of deid salbe execute upoun thame without favour, in example of utheris. And als to command and charge all and sindre Erles, Lordis, Baronis, Frehalders and utheris subject to the proclamatioun of this present army, that thay and every ane of thame prepair thame selffis and be in reddynes at the sound of the trumpet to marche and pas furthwart furth of this toun to the camp on the feildis as salbe appointit, thair to ly and remane in thair palyeonis and to keip watche and ward as it sall becum thame; and to that effect, that all men send for thair palyeonis and cariage with all possible diligence, or utherwise provide for palyeonis as thay salbe best servit, according to the proclamationes past thairupoun and under the panis contenit in the samyn; certefeing thame that failyeis drawing bak and remaning in houssis, thay salbe accusit and punist thairfoir, as gif thay had not cum at all to the present service, bot remanit at thair duelling places; and in like maner, to command and charge all and sindre our Soverane Lordis liegis that hes takin ony presoners of the saidis rebellious and dissobedient subjectis to our Soverane Lordis auctoritie sen the begynning of the present troubles, that thay with all possible diligence call for the entrie of thair saidis presoners, and being enterit notefie thair names to my Lord Regentis Grace, and nawyse lett thame of new to liberty or upoun band without his Grace and Counsellis avise, at leist during the tyme of the present army; for heirin his Grace menis not to abstract ony personis presoners from thame, bot only to stay thame fra service aganis the King during the tyme of the said army.

Apud castra prope Edinburgh, xix° die mensis Octobris 1571.

Denunciatio. Certane burgesses of Jedburgh.

The quhilk day, my Lord Regentis Grace and Lordis of Secrete Counsale understanding that William Moscrop burges of Jedburgh, Andro Moscrop his brother, George Grymislaw and William Stevinsoun, all Burgesses of

the said Burgh, being chargeit to compeir befoir his Grace and Lordis of Secrete Counsale foirsaidis at ane certane day bigane, to answer to sic thingis as suld be laid to thair charge, under the pane of rebellioun and putting of thame to the horne; the saidis Andro Moscrop and William Stevinsoun being oftymes callit comperit not, and thairfoir ar ordourlie denuncit oure Soverane Lordis rebellis, and put to the horne; and the saidis William Moscrop and George Gremislaw comperand, diverse heich crymes of tressoun, rebellioun, contempt of oure Soverane Lordis auctoritie and raising of seditioun within the said Burgh, being laid to thair charge; and na gude purgatioun maid be thame for declaratioun of thair innocency, bot rather manifest pruiffis, presumptiones and liklyhedis of thair giltynes of the same; thairfoir thay wer commandit to pas and entir thair personis in ward within the Castell of Dumbertane, thair to remane for the triall of thair cause within certane space appointit, under the pane of tressoun; quhilk charge thay have contempnandlie dissobeyit and past hame to the said Burgh of Jedburgh, incurrand thairthrow the saidis panis of rebellioun and tressoun. For remeid quhairof, my Lord Regentis Grace, with avise of the Lordis of Secrete Counsell, ordanis letters to be direct, to denunce the saidis William Moscrop and George Grymislaw our Soverane Lordis rebellis, and to put thame to the horne, and to escheit, etc. And als to command and charge all and sindre oure Soverane Lordis liegis, alsweill the inhabitantis of the said Burgh as utheris, be oppin proclamatioun at the mercat croce of Jedburgh and utheris places neidfull, that nane of thame tak upoun hand to ressett, supple, or intercommoun with the saidis William Moscrop, Andro Moscrop, George Grymislaw, and William Stevinsoun rebellis foirsaidis, or yit gif thame meit, drink, house or harbry, or by or sell with thame, upoun ony of thair guidis and geir, or ony tymmer, wod, or uther grayth quhairunto thay pretend title or richt, nor yit that thay assist, favour or tak part with the saidis rebellis, or gif thame ayd, confort, or releif, in previe or apart, under the pane to be repute and haldin as assisters and plane partakers with the saidis rebellis in thair rebellioun and tressonable dedis, and to be callit, presewit, demanit, and punist, thairfoir with all rigour in example of utheris.

Apud Leith, xxiiii° die mensis Octobris, anno Domini j^{m}v^{c}lxxi°.

Joannes Comes de Mar Regens.
Jacobus Comes de Mortoun Cancellarius.
Alexander Comes de Glencarne.
Joannes Comes de Montroise.
Gilbertus Comes de Cassillis.
Robertus Comes de Buchane.
Willelmus Dominus Ruthven Thesaurarius.
Robertus Dominus Simpill.
Joannes Dominus Glammis.
Andreas Dominus Cathcart.

The quhilk day, my Lord Regentis Grace and Lordis of Secrete Counsell, considering how, be the fortificatioun of the burgh of Edinburgh, being the

principall toun of the realme and the cheif seit of justice for all the subjectis in this realme alsweill in caussis criminale as civile and ecclesiasticall, not only is the ordinar administratioun of justice left of and impedit, bot the same toun drawin into a miserable thraldome, throw the barbarous tyranny of the declarit traitouris and utheris rebellious subjectis authouris of this mischeif and unquietnes. And albeit sic of the inhabitantis of the said Burgh as ar honest, of all estaitis thairin, hes withdrawin thame furth of the same and declarit thair obedience to the King thair native soverane, yit sum followand the trade of the saidis declarit traitouris and rebellious subjectis hes offerit thame selffis to follow thair fortoun, and presentlie takis part in all thair tressonable actionis, be meanes quhairof the said toun continewand in thraldome, to the harme and inquietnes of the commoun weill of the realme, to the end that quhill the recovery thairof, the subjectis sall not remane destitute of justice; it is thairfoir thocht expedient resolvit and concludit, that all adminstratioun and courtis of justice, quhilkis of befoir had wont to sitt and be kepit at Edinburgh, sall now and in tyme cuming sitt and be kepit within the toun of Leith in the tolbuith thairof. Quhairunto it is neidfull that the senatouris of the College of Justice, the clerkis and officiaris of the Chekker, the commissaris of the Consistoriall Jurisdictioun, the Admirall and Sheref-principall of Edinburgh and thair Deputis, and all Jugeis constitute be commissioun in caussis civile quhair the place of sitting is appoyntit to be in Edinburgh, with all Advocattis, Procuratouris, Clerkis, alsweill Scribes to the Signet as Writtaris to ony of the seillis or utheris courtis abonewrittin, and all Maseris, officiaris and serjandis appoyntit for serving thairin, quhilkis ar not forfaltit be law or excommunicat be the kirk, salbe warnit to compeir, remane and attend in the said toun of Leith upoun thair particular offices, chargies, and functionis respective, in maner and within the tyme following: Thairfore ordanis letters to be direct to charge all and sindre the saidis Senatouris of the College of Justice, the Clerkis and Officiaris of the Excheker, Commissaris of the Consistoriall Jurisdictioun of Edinburgh, our Admirall and Sheref-principall of Edinburgh and thair Deputis, the saidis Jugeis constitute be commissioun with all Advocattis, Procuratouris, Clerkis, Scribes, Maseris, officiaris and serjandis abovewrittin, that thay and every ane of thame repair to this toun of Leith, and thair remane and attend upoun thair particulair offices and chargies, and nawyse depart without licence quhill the xx day of December nix to cum, quhilk is the ordinar tyme of rising of the Session and all courtis of justice, and that within the spaces respective following. That is to say, all and every of the saidis personis being at the publicatioun heirof within the boundis of the sherefdomes of Edinburgh principall, and within the constabulary of Hadingtoun, Linlythgow, Striveling, Clackmannan, Kinross and Fyff, to be in Leith with all possible diligence at the farthest within sex dayis heireftir; and sic utheris as presentlie ar in uther partes of the realme, to be in Leith at the farthest befoir the tent day of November nix to cum, under the pane of deprivatioun of thame from thair places, offices, chargies, and functionis foirsaidis,

and to be repute and haldin favouraris, assistaris and partakers with the saidis declarit traitouris and rebellious subjectis in thair tressonable and wickit dedis, with certificatioun to thame that failyeis and beis noted absent, thay salbe declarit to have tynt and foirfaltit thair saidis places, offices, charges, and functionis and utheris salbe placit and admittit thairin, and als thay salbe callit and processit be order of law and demanit as rebellis and traitouris with all rigoure in exemple of utheris.

Aganis the rebellis inhabitantis of Edinburgh.

Forsamekle as, be the fortificatioun of Edinburgh aganis our Soverane Lord and his auctoritie, and tyrannie of the declarit traitouris and rebellis presentlie being thairin, assistit be a nowmer of the inhabitantis of the same Burgh, not onlie ar the lauchfall Magistratis, honest merchandis, craftismen, and utheris the Kingis gude subjectis inhabitantes of the same burgh, banissit, opprest, and put from the use of thair awin houssis and guidis, bot the same thair guidis ar spuilyeit, destroyit, and exponit, in pray to the licentious appetites of suldartis and men of weir; off quhilk harme and distructioun nane are gretar authouris, devisares, and executouris, nor the remanent inhabitantes of the said Burgh, yit abiding within the same, quhilkis hes dedicat thameselffis, to follow the fortoun trade and fassoun of leving, of the saidis declarit traitouris, rebellis, and conspiratouris, in professing oppin hostilitie aganis thair awin brethir and nichtbouris, spuilyeand thair guidis and houshald stuf, and in all respectis declarand gretar crueltie, outrage and evillwill nor gif thay wer auld inemeis. And albeit thair malice and mischevous doingis hes takin place this quhile bipast within the wallis of the said Burgh, and sua may continew for sum tyme heirefter, quhill as the said Burgh be restored to the ancient libertie; yit ressoun wald not that thay suld enjoy ony benefite, favoure, or privilege, in ony uther partes of this realme; bot in caise thay resort to the same, thair bodyes to be usit and demanit as traitouris and rebellis, and thair guidis as escheit to the use of our said Soverane, or sic as the same salbe disponit unto be his Hienes gift. And to the end that this conclusioun may tak full effect and be put in executioun, my Lord Regentis Grace, with avise of the Lordis of Secrete Counsale, ordanis and commandis the lauchfull Provest, Baillies, and Dene of Gild of the Burgh of Edinburgh, now remaning at Leith, to put in roll the names of all personis, alsweill merchandis craftismen and utheris inhabitantes of the said burgh of Edinburgh, quhilkis continewis in the same, berand armes and actualie assistand the saidis declarit traitouris and rebellis with thair bodyes and guidis, and to deliver the same roll to his Grace, to the effect the saidis names may be notefeit in all the principall Burrowis and Portis of this realme, quhairthrow nane of the subjectis pretend ignorance of thame; and als to command and charge all and sindre awners, maisters, skipparis, and marinaris, of schippis, alsweill of this port of Leith as utheris portes of this realme, that nane of thame tak upoun hand to ressave within thair schippis or veschellis ony of the saidis personis or thair guidis, outher to be careit furth of this realme or to be brocht hame to the same, without that imme-

diatlie thaireftir thay gif knawlege of the same to the Dene of Gild of Edinburgh remaning in Leith, that the same may be apprehendit, under the pane of deid, and confiscatioun of the schip and guidis quhair the saidis rebellious personis or thair guidis salbe apprehendit, or to be tryit to have been resset and transported; and als that nane now professing the obedience of our said Soverane Lord presume or tak upoun hand as factour or ony uther colour, to ressave, convoy away, hyde or concele, ony of the personis or guidis of the saidis rebellious inhabitantis of Edinburgh; and for the mair sure eschewing of fraudulent doing, that na skippar in his furthpassing ressave in his schip merchandis nor na passingers, quhill first thay compere befoir the said Dene of Gild of Edinburgh remaning at Leith, and thair mak faith that thay have nother guidis nor money of the saidis rebellious personis of Edinburgh, nother as factouris to thame nor na utherwise; and at the hamecuming of all schippis, that befoir the entres and loissing of thame, the clerk of the schip and merchandis mak the like aith; and that the custumar and clerk of the cokquet on na wyise grant ony cocquet quhill the merchandis and clerkis of the schippis have maid and gevin the said ayth, under the pane of tynsale of thair offices; and quhairevir sic personis or guidis beis apprehendit, that the guidis be stayit, arreistit and put in sellairis quhill the suspect persoun be tryit, and the personis apprehendit to be put in presoun and firmance, quhill thay find sufficient souirtie to be answerable to the law; and that all guidis falling under escheit throw contraventioun of this present ordinance be furthcumand upoun compt to oure Soverane Lord, ressonable allowance being maid to the apprehenders in consideratioun of thair panis, at the sicht of my Lord Regentis Grace and Counsell.

And becaus the burding of the service and chargeis of the Burgh of Edinburgh lyis upoun the schulderis of a certane of the maist honest and best affectit, quhilkis hes dedicat thameselffis to avance and set furthwart the caus of his Hienes alsweill with thair awin bodyes as guidis, and for that effect makis thair continewall residence at Leith, leifand thair awin trafficque handilling and occupationis, in respect of the publict service and commoun caus of our said Soverane Lordis obedience; ane uther nowmer of the maist welthy inhabitantis of the said Burgh withdrawing thameselffis to severall partes of the realme, passing ower the tyme without charge or perrell, as gif thay wer not subjectis to the King bot exemit personis fra all bering of burding in the commoun weill, and thinking be thair newtralitie and baklying to be welcum to quhatsumevir party beis victour in the end; for avoiding of quhilk corruptioun and reducing all sic as will cleame to be the Kingis Majesties subjectis to the avowit and plane professioun of his Hienes querrell, specialie the inhabitantis of the said Burgh of Edinburgh.—Thairfore ordanis letters to be direct to command and charge all and sindre the inhabitantis of the said Burgh, alsweill merchandis, craftismen, as utheris of quhatsumevir vocatioun, quhilkis heirtofore sen the begynnyng of the troubles hes withdrawin thameselffis furth of the said Burgh, and duelt and remanit in ony partes of this realme,— as

it wer to eschew the tyrannie of the declarit traitouris and rebellis within Edinburgh, and yit having na certane prufe and declaratioun of thair gude-will to the avancement of the Kingis Majesties cause and querrell,—quhais names my Lord Regentis Grace ordanis to be rollit, put in bill and deliverit to his Grace; that thay and ilkane of thame within ten dayis efter the publicatioun heirof repair to the toun of Leyth personalie, and mak plane professioun of thair obedience to the Kingis auctoritie, in sic sort as thair nychtbouris dois quhilkis presentlie makis actuale residence in Leith; and on nawyse to depart furth of the same toun of Leith outher in the cuntrie or furth of the realme, quhill God put end to the present troublous state thairof,—without thay have my Lord Regentis Grace licence grantit eftir cognitioun of thair behaviour be impetratioun of the Provest, ane of the Baillies or Dene of Gild of Edinburgh, and thair attestatioun thairupoun, —under the pane to be repute and haldin in all respectis alike culpable as gif thay remanit, assistat and accumpanyit the declarit traitouris and rebellis now being within Edinburgh; certefeing thame and thay failye, thair personis and guidis quhairevir thay may be apprehendit, salbe usit and demanit as the personis of the utheris inhabitantis of the said Burgh of Edinburgh that presentlie ar thairin assistand and publictlie takand part with the declarit traitouris and utheris rebellious subjectis presentlie being thairin. Mairattoure in sa far as the said Burgh of Edinburgh is still fortifeit, the libertie thairof opprest, and the honest merchandis, craftismen and utheris inhabitantis principalie remaning at Leith—quhair ressoun wald thay usit thair trafficque and occupationis without lett and hinderance alsweill in bringing thair guidis to Leith as in transporting of the same to the cuntrie; thairfore my Lord Regentis Grace, with avise of the saidis Lordis of Secrete Counsale, hes committit to the saidis Provest, Baillies, and Dene of Gild of Edinburgh now remaning in Leith, and to sit as thay sall depute and ordane, full power of visitatioun and serching of all merchand guidis that heirefter salbe careit furth of this toun or be brocht in at ony portis of the same. And for that effect that thay keip and attend upoun the saidis portis on the daylicht, makand and constituand thame Justices in that part for trying of all personis, inhabitantis of the said Burgh of Edinburgh that sal happin to contravene the present act or ony part thairof; with power to fense, affirme, hald and continew court or courtis of Justiciarie to that effect within the tolbuith of Leith; sectis to mak be callit; absentis to amerchiat; unlawis, amerchiamentis and eschetis of the saidis courtis, to ask, lift and raise; compt and reknyng of the same to mak; the ressonable expenssis of the officiaris awaiting heirupoun being alwayis considerit; clerkis, serjandis, dempstaris and all utheris officiaris and members of court neidfull, to mak, creat, substitute and ordane—for quhilkis thay salbe haldin to answer; and the said pouer of commissioun during the will of our said Soverane Lord and his said Regent to indure; discharging all capitanis, alsweill of horsmen as futemen and all men of weir serving under thair charges, of all calling or intromissioun with the saidis inhabitantes of Edinburgh or thair guidis within this toun of Leith at the portis thairof

or outwith the same; and als that nane of the saidis capitanis or personis serving under thair charges grant assurance, to ony of the saidis inhabitantis of Edinburgh now remaning or that hes remanit within the samin, assistit and takin part with the saidis declarit traitouris and rebellious subjectis being thairin, nor yit tak ony of the saidis rebellis inhabitantis of Edinburgh or thair guidis in their saulfgard or protectioun, bot that alsweill the personis as the guidis of the saidis rebellis inhabitantes now being in Edinburgh, be subject to the jurisdictioun and triall of the saidis Provest, Baillies and Dene of Gild of Edinburgh now remaning in Leith, as the saidis capitanis and men of weir will answer to oure said Soverane his Regent and Counsale foirsaid upoun thair dewitie and obedience. Attoure, my Lord Regentis Grace, with avise of the saidis Lordis of Secrete Counsale, be the tennour heirof dischargis all licences grantit to the inhabitantes of the said Burgh of Edinburgh outher men or wemen in tyme bigane, other to pas to the Burgh of Edinburgh or to repair furth of the same, decernand the saidis licences to have na faith nor effect, except sic as upoun consideratioun salbe granted efter the dait heirof and the licences granted to be noted and put in roll. And likuise that na maner of persoun of the inhabitantes of Edinburgh now remaning in Leith pay stent or furneis money to the saidis rebellis and declarit traitouris now abiding in Edinburgh, under cullour of saulffiing thair geir within the toun or utherwise, under the pane of deid and confiscatioun of all thair movable guidis; and gif ony dois in the contrar, thair personis and guidis to be usit as the avowit rebellis and dissobeyares of the Kingis Majesties auctoritie.

Leith, 27 October 1571.

[David Duff, surety for Adam Robesoun, both in Leyth, "anent" tar.]

[William Curle, son of James Curle, burgess of Edinburgh, failing to appear, denounced.]

Apud Leith, quinto die mensis Novembris, anno Domini, etc. lxxi.

For the convening of the Collectouris.

Forsamekle as be complaint of diverse ministeris serving in the kirk of God, it hes bene understand how thay ar not onlie hinderit and postponit of payment of thair stipendis be the collectouris, bot als be the same collectouris thair wantis payment in a great part of the assignationis maid to the Kingis Majestie and my Lord Regentis Grace houssis, drawing daylie to further contempt, disorder and confusion; for remeid quhairof my Lord Regentis Grace, with avise of the Lordis of Secrete Counsale, hes writtin to the superintendentis of the kirk to be at Leith the xii day of November instant, that be commoun advise, order may be takin for removing of contempt and rebellioun and reducing of thingis disorderit to a perfite rule and uniformitie. Thairfore ordanis letters to be direct to command and charge all and sindrie the collectouris of the saidis thriddis, to compeir

personalie befoir my Lord Regentis Grace and Lordis of Secrete Counsale, at Leith or quhair it sal happin thame to be for the tyme, the said xii day of November instant, to answer to sic thingis as salbe inquirit of thame at thair cuming, under the pane of rebellioun and putting of thame to the horne; and gif thay failye thairin, the said xii day being bipast, to denunce thame rebellis and put thame to the horne, and escheit, etc.; and als to inhibite all and sindre oure Soverane Lordis liegis be oppin proclamatioun at the mercat croces of the heid burrowis of this realme and utheris places neidfull, that nane of thame tak upoun hand to mak ony payment of the saidis thriddis of benefices to the saidis collectouris, bot retene the same in thair handis quhill the saidis collectouris have first comperit befoir my Lord Regentis Grace and the Counsale, and have ressavit new directioun and lousing of the said inhibitioun efter thair comperance, under the pane of payment of the same ower agane; and als to charge the saidis collectouris to bring with thame and produce the saidis day and place the rentales of the thriddis of benefices within thair particulair charges respective, togidder with the executionis upoun all personis quhilkis thay allege to be at the horne for nonpayment of the saidis thriddis in tyme bipast, that ordour may be takin thairanent as appertenis, as thay will answer upoun thair obedience at thair awin perrell.

The Camp befoir Edinburgh, the xvii October, the yeir of God j^{m}v^{c}lxxi.

[Dean James Abircrummy, Dean Johnne Ged, and Dean William Heslop, sometime Canons of the Abbey of Halyrudehous, failing to appear, are denounced.] Canons of Halyrudehous denounced.

Apud Leith, xxiii die mensis Octobris, anno, etc. lxxi°.

Forsamekle as my Lord Regentis Grace, the Lordis of Secreit Counsale and utheris of the nobilitie present with him, considering quhat skaith and harme the Kingis trew liegis hes sustenit this tyme past throw non convening togidder of the Lordis of Counsell and Sessioun for administratioun of justice; the occasioun consisting throw the tressonable fortefeing and withalding of the Burgh of Edinburgh be certane conspiratouris and declarit traitouris aganis our Soverane Lord and his auctoritie, quhair the members of Sessioun and utheris his Majesties trew liegis aucht to sett, as alsua quhair the Consistoriall sait remanit. It is thairfoir now concludit, that baith the Sessioun and Commissary sall sitt and be haldin within the tolbuith of the toun of Leith, lyke as thay ar already convenit for adminstratioun of justice to all and sindre quhom it efferis; and to the effect that nane sall pretend ignorance thairof, bot that all personis quhilkis hes to persew or defend may do thairin as thay wilbe servit; ordanis letters to be direct to officiaris of armes, Shereffis in that part, charging thame to pas to the mercat croces of all burrowis of this realme The Sessioun to sit in Leith.

and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and auctoritie mak publicatioun and intimatioun of the premissis, to all and sindre his Majesties liegis; and als to command and charge thame and all utheris quhom it efferis quhilkis hes to persew or defend in the Sessioun and befoir the saidis Commissarris; that thay prepair and addres thameselfis to the said toun of Leith quhair justice salbe minstrat to thame, conforme to the lawis of this realme, certefeing all and quhatsumevir personis quhilkis hes actionis dependand as yit undecidit, that quhidder thay compeir or not, the xii day of November nix to cum being bipast, thay will proceid and minster justice alsweill be geving of protestationis and decretis in so far as may be of law.

Leith, 30 October 1571.

[Johnne Logane, in Restalrig, and William Logane there, oblige them to enter William Lindsay before the Council when required.

Leith, 8 November 1571.

Johnne Levingstoun of Prestoun, surety for James Hammyltoun of Kincavill.]

Leith, 9 November 1571.

Proclamation to accumpany the Lieutenent.

Forsamekle as George sumtyme Erle of Huntlie, declarit traitour to our Soverane Lord and his auctoritie, having continewit all this somer seasoun within the Burgh and Castell of Edinburgh occupeit in oppressing his Hienes peciable and gude subjectis, hes of late sterit up Adam Gordoun, sumtyme of Auchindoun his bruther and utheris his assistaris complices and partakers, and be plane hostilitie hes persewit his Hienes gude subjectis, slane diverse of thame, and takin and detenit utheris presoners, tending to a plane owerthraw and conquest of all honest men professing the Kingis obedience, gif thair contempt and rebellioun be not resistit befoir it proceid farther; thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, charging thame to pas to the mercat croce of Kincardin and utheris places neidfull, and thair be oppin proclamatioun, in his Hienes name and auctoritie, to command and charge all and sindre his Hienes liegis within the sherefdome of Kincardin betuix lx and xvi yeris, and utheris fensible personis alsweill duelland to burgh as to land, within regalitie as ryaltie, that thay and ilkane of thame, weill bodin in feir of weir, with sex dayis victuales and provisioun, addres thameselffis to meit oure Soverane Lordis Lieutenent at the kirk of Fordoun the
day of November instant; and thairfa to pas fordwart as thay salbe commandit, for persute and invasioun of the saidis declarit traitouris, thair assistaris and partakers, or resisting of thair invasioun; and to remane for that effect during the said space of sex dayis, under the pane of tinsell of lyff landis and guidis.

Certane actis at Leith during the absence of the Regent.

Leith, 28 September 1571.

[Johnne Pennycuke of that Ilk, Andro Murdestoun, and Andro Williamsoun, burgesses of Edinburgh, surety that Johnne Spens, burgess there, remain at Pennycuke and have no dealings with the rebels; Murdistoun and Williamsoun discharged of former act of caution for Spens to be warded with Archibald Pennycuke in Leith.] Caution for Johnne Spens.

Leith, 3 October 1571.

James Logane and Henry Wallace skippers of the ship called "James of Kingorne," Henry Schankes skipper of the "Margaret," and Johnne Downy skipper of the "Andro," oblige them not to import or export disobedient subjects nor strangers; also that they shall not trouble or invade confederates of this realm.

Johnne Pouris of Innerleith obliges him that Patrik Hepburne, sometime servant of the Laird of Wauchton, who is released from Edinburgh by my Lord Lieutenent, shall not assist the conspirators in Edinburgh nor approach within four miles of the present army.

Robert Lawsoun of Humby, and James Bannatyne of Pendreich, cautioners for James Borthuik, entered him within my Lord Lieutenent's lodging in Leith.

Leith, 6 October 1571.

George Hay skipper of the "George of Kirkcaldy," and George Dawson skipper of the "Fleand Hart" (8 October) obliged them in manner and form as the other skippers had formerly done.

Apud Leith, die mensis Octobris 1571.

Forsamekle as my Lord Regentis Grace and Lordis of Secrete Counsale considering the greit wrak and skaith that the inhabitantis of the toun of Edinburgh and utheris hes sustenit and daylie dois sustene throw the forte-feing and withalding thairof aganis our Soverane Lord and his auctoritie, and being now resolvit to sett the same at libertie be persute thairof be oppin force; yit to the effect that sic of the inhabitantis of the same as ar presentlie thairin may eschew the punisement quhilk thay may incur with utheris be lauchfull warning; and to the effect thay sall pretend na ignorance;—ordanis ane officiar of armes to pas to the peir and schoir of Leith, Girth Croce of the Cannogait, and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and auctoritie, command and charge all and sindrie personis inhabitantis of the said burgh of Edinburgh and utheris presentlie being thairin, to repair and cum furth of the samin, Proclamation that the inhabitantis of Edinburgh repair furth of the same.

with thair bag and baggage, within xxiiii houris nixt efter thay be chargeit thairto; under the pane to be persewit indifferentlie as plane partakeris and assistaris with the declarit traitouris, rebellis, and conspiratouris, withalderis of the said Burgh, with all rigour and extremitie; providing alwyse that sic as removis and cumis furth of the said toun on na wyse cum nor repair to this toun of Leith, nor na uther part quhair the army and camp sall remane, be the space of foure myles, without licence obtenit thairto, under the pane of confiscatioun of all thair movable guidis to our Soverane Lordis use, and making of thame selffis as prey to thair takeris quhatsumevir; commanding and charging heirfore be thir presentis all and sindrie capitanis, men of weir, and utheris oure Soverane Lordis liegis quhatsumevir, on na wyse to mak stop, trouble or impediment to the saidis inhabitantis in thair cuming furth of the said burgh and remaning within the boundis prescrivit to thame in maner foirsaid, as thay will answer upoun thair charge and perill, and under all hiest pane, cryme, and offence thay may incur and inrin aganis oure Soverane Lord in that behalf.

Leith, 8 November 1571.

[David Wadie, Johnne Wadie, Thomas Glen, in Leith, William Mudy and Johnne Ramsay, burgesses of Edinburgh, sureties that Thomas Norwell, also burgess there, remain in the town of Leith at the Regent's will.]

Apud Leith, xiii die Novembris [1571].

Sederunt—

Joannes Comes de Mar Dominus Regens.
Jacobus Comes de Mortoun Cancellarius.
Robertus Comes de Buchane.
Willielmus Dominus Ruthven Thesaurarius.
Patricius Dominus Lindsay.
Adam Episcopus Orchadensis.
Joannes Bellenden de Auchnoule miles Clericus Justiciarie.

Alexander Stewart aganis Johnne Levinstain.

Anent oure Soverane Lordis letters purchest at the instance of Alexander Stewart of Scottistounhill, Sheref-depute of the sherefdome of Linlythgow, specialie and sufficientlie constitute, makand mentioun—That quhair James Hammiltoun of Kincavill, Schiref-principall of the said sherefdome, upoun the xix day of Januar, the yeir of God 1568 yeris, maid and constitute the said Alexander and certane his collegis, Sheref-Deputis of the said Schirefdome for the space of five yeris nixt thaireftir, as his letters of constitutioun gevin to the said Alexander thairupoun, of the dait foirsaid, schewin to my Lord Regent and Lordes of Secreit Counsall proportis; quhilk is, be his awin consent and in his presence in jugement, insert and registrat in the Sherif-Court buikis foirsaid, and decernit to have the strenth of ane act and decreit thairof, as the decreit interponit thairto of the dait the xx day of Januar the yeir God foirsaid, at lenth beris. Be virtew of thequhilkis the

said Alexander and his collegis hes bene in peciable and continewall possessioun of the office of Schirefschip of the said Sherefdome be using thairof, halding of courtis for administratioun of justice, and using of utheris the privilegis of the samin yeirlie and continewalie sen the said Alexanderis admissioune thairto foirsaid, like as he is yit havand takkis thairof for yeris to ryn. Nottheles the said schiref, upoun the fift day of November instant, on his maner hes electit and chesit Johnne Levinstoun of Prestoun Schiref-Depute to him, and hes dischargit all utheris his Deputis thairof, as ane Act maid thairupoun schewin to my Lord Regentis Grace and Lordis foirsaidis beris, supposing the said Alexanders tak to cum under the said pretendit discharge, albeit the contrar be of trewth, seing his said tak is valide and sufficient in the self; and he being presentlie like as he hes bene the space foirsaid in possessioun of the samyn office, and yit having takkis thairof for yeris to ryn, and the samyn authorized be decreit foirsaid, meaning extraordinary to intruse him in possessioun of the said office, and to debar the said Alexander thairfra, being just titular and possessour thairof. And anent the charge gevin to the saidis James Hammiltoun and Johnne Levinstoun to compeir befoir my Lord Regentis Grace and Lordis of Secrete Counsale at ane certane day to have answerit to the complent, and to heir and see order and triall takin thairanent as appertenis, as the saidis letters, executionis, and indorsationis of the samyn at mair lenth proportis ;—the said Johnne Levinstoun comperand personalie, and the said James Hammyltoun oftymes callit and not comperand; the richtis of the said Alexander Stewart being sene and considerit, my Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis him to brouke and use the said office be halding of courtis be adminstratioun of justice and using of utheris the previlegis of the samin, efter the forme and tennour of the said tak, at the leist ay and quhill the samyn be takin away and decernit to have na strenth be ordoure of law and justice. Quhairunto my Lord Regentis Grace and Lordis foirsaidis reservis actioun to the said Johnne Levinstoun to do and persew thairin as accordis of the law ; discharging him and all utheris allegit Sheref-Deputis of the said Sherefdome, of troubling of the said Alexander utherwise in the meyntyme be vertew of ony allegit richt maid to thame and of thair offices in that part.

[Patrik Crichtoun of Lugtoun obligis him to enter William Crichtoun of Drylaw before my Lords when required.]

Apud Leith, xv die mensis Novembris 1571.

Sederunt—Domini ut in die predicto.

Apilgirth contra certane Grhames.

The quhilk day, anent the supplicatioun presentit be Johnne Jarden of Apilgirth, makand mentioun ;—that quhair upoun the thrid day of November instant Johnne Grhame callit the Priouris Johnne, and his barnis, with certane outlawis and brokin men baith of England and Scotland,

came to his landis of Apilgirth and thair brint twa thousand threiffis of corne, foure scoir ky and oxin, and twa servandis to the death, as alsua careit away and tuke with thame Alexander Jarden, brother to the said Johnne, quhome thay deteane as yit presoner, like as thay have committit diverse and sindre heirschippis upoun the said Johnne of befoir; albeit it is of veritie that ane sone of the said Johnne Grhames being enterit to umquhile James Erle of Murray, that is with God, Regent of this realme as plege for gude rewle of him and his gang wes deliverit be the said Regent agane in the handis and keping of Laurence Lord Olyphant, quha notwithstanding hes lettin him to fredome and libertie without ony command gevin to him thairto; and thairfoir according to equitie and gude conscience, the said Lord aucht to answer for all attemptatis done sen the said plegis libertie, seeing nathing had bene attemptit gif he had bene kepit; at leist he suld be detenit and deliverit to the said Johnne Jarden for his releif, as at mair lenth is contenit in the said complent. And anent the charge gevin to the said Laurence Lord Olyphant to compeir befoir my Lord Regentis Grace and Lordes of Secrete Counsale, to answer to the said complent; the said Lord comperand be Thomas Olyphant of Williamstoun allegit that the said plege wes lettin to libertie and fredome out of handes of the said Lord Olyphant upoun sufficient warrand; thairfoir my Lord Regentis Grace, with avise of the Lordis of Secrete Counsale, assignis to the said Lord Olyphant, the last day of November instant, to present the said plege or sufficient warrand and discharge for his releif and libertie, under the pane of rebellioun and putting of the said Lord to the horne, with certificatioun and he failye he salbe denunceit rebell and put to the horne, and all his movable guidis eschetit and inbrocht to our Soverane Lordis use for his contemptioun.

Apud Leith, xvi° die mensis Novembris 1571.

A suspensioun of the inhibitioun of ansuering of the thriddis to the Collectouris of the Kirk.

Forsamekle as our Soverane Lordis letters wer laitlie direct, charging the collectouris of the thriddis of benefices to have comperit befoir my Lord Regentis Grace and Lordes of Secrete Counsale this present day, to have answerit to sic thingis as suld have bene inquirit of thame at thair cuming; and als inhibiting all and sindre his Hienes liegis, that nane of thame tak upoun hand to mak ony payment of the saidis thriddis of benefices to the said collectouris, bot retene the same in thair awin handes, quhill the saidis collectouris had first comperit befoir his Grace and Counsale and ressavit new directioun, under the pane of payment of the same ower agane; nevirtheles, oure said Soverane Lord, with avise and consent of his said Regent, for certane caussis and considerationis moving thame, hes suspendit, and be the tennour heirof suspendis and discharges, the effect of the said inhibitioun simpliciter, as the same had nevir bene maid nor execute; and ordanis the saidis collectouris of the thriddis to be answerit and obeyit as afoir, notwithstanding the said inhibitioun or ony panis contenit thairin; and als letters to be direct for publicatioun heirof at all places neidfull that nane pretend ignorance of the same; commanding all our

Soverane Lordis liegis addettit in payment of the saidis thriddis, to answer and obey the saidis collectouris thairof, eftir the forme and tennour of the letters grantit thairupoun, and under the panis contenit in the samyn.

Leith, 25 November 1571.

[Obligation, Johnne Kyle in Leith that "twa half polkis of waid intromitted with by David Bell in Leith" shall be forthcoming to Johnne Carwod soldier.]

Leith, 26 November 1571.

That nane lois guidis furth of schippis in ony uther place nor upoun this schoir.

The quhilk day, my Lord Regentis Grace ordanis the maser of Counsale or uther officiar of armes, to pas, and in our Soverane Lordis name and auctoritie, command and charge all and sindre, skipparis maisteris and marinaris of schippis and crayaris, quhilkis ar laitlie arrivit in this Firth, or that sall heirefter arrive, ladin with wynis or quhat sumevir uther merchandice and guidis,—as alsua the personis awners of the saidis guidis brocht or to be brocht from quhatsumevir partes beyond sey,—that nane of thame tak upoun hand to loise ony of the saidis wynis and guidis, upoun ony part of the sowth syde of this coist bot upoun this Peir and Schoir of Leith allanerlie, without leif askit and obtenit of my Lord Regentis Grace thairto, under the pane of tressoun. And siclike, to command and charge all and sindre skipparis and marinaris of boittis, that nane of thame ressave within the same, furth of the saidis schippis or crearis, ony of the saidis wynis or utheris guidis, for transporting of the samin to quhatsumevir part or partes of this south syde of Forth, under quhatsumevir cullour or pretens, bot to the said Peir and Schoir of Leith, under the pane foirsaid; certefeing all and quhatsumevir personis that dissobeyis the premissis or ony part thairof, thair guidis salbe confiscat and intromettit with, and thair awin personis usit and demanit as traitouris to the deid with all rigour and extremitie, in exemple of utheris.

Leith, 1st December 1571.

Anent the terme assignit to Laurence Lord Olyphant to present the plege of Johnne Grhame in Cannaby callit The Priouris Johnne, or sufficient warrand or discharge for his relief and libertie.[1] Comperit Thomas Olyphant of Williamstoun, declaring that for satisfactioun of the terme he awaitit all yisterday and wes not callit; and thairfore this day producit ane autentik Act of the Secrete Counsale, bering that Johnne Grhame third son to the said Priouris Johnne, being presentit and enterit befoir umquhile oure Soverane Lordis dearest guidsire and Regent of this realme for the tyme, in place of William Grahame his eldest brother, to remane as plege for the said Johnne, his brother, barnis, branche, and servandis, according to the

[1] See Minute, 15th Nov. 1571, p. 195.

ordour contenit in the buke of plegis, wes deliverit and committit in keping to Andro Commendater of Jedburgh under the commoun panis and conditioun; of quhome the said Commendater acceptit the keping; in respect quhairof the said Lord Regent for the tyme, with avise of the Lordis of Secreit Counsale, dischargeit the said Lord Olyphant of the said Williames entrie, and band maid be the said Lord thairupoun, as being committit in his custody of befoir. In consideratioun of quhilk act my Lord Regentis Grace, with avise of the Lordis of Secrete Counsell present, dischargit and assoilyeit the said Laurence Lord Olyphant of the said Johnne Jardenis complent simpliciter; and ordanis letters to be direct to charge the said Commendater of Jedburgh to entir and present the said Johnne Grhame, third sone to the said Priouris Johnne, befoir my Lord Regentis Grace and Lordis of the Previe Counsall, upoun the xv day nixt eftir he be chargit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, to denunce him rebell and put him to the horne, and to escheit, etc., without prejudice of sic uther pane and interest of party as be the law he may be adjugit to have incurrit.

[Archibald Pennycuke, in Leith, and George Hammyltoun younger of Preston, oblige them to enter the said George, and also David his brother, before the Secret Council, or the Lieutenant, or Captain David Hume, when required.

The said George Hammyltoun obliges him to enter Allane Bar, his servant, before the same parties.]

Apud Leith, secundo die mensis Decembris, anno Domini, etc. lxxi.

Sederunt—

Joannes Comes de Mar etc. Regens.
Jacobus Comes de Mortoun etc. Cancellarius.
David Comes de Craufurd.
Willielmus Magister de Marschell.
Patricius Dominus Lindsay.
Willielmus Dominus Ruthven Thesaurarius.
Marcus Commendatarius de Neubottill.
Jacobus Commendatarius Sancti Columbe.
David Commendatarius de Dryburgh Inchemahomo.
Willielmus Douglas de Lochlevin.
Joannes Erskin de Dun.
Magister Jacobus Haliburtoun Prefectus de Dundie.
Joannes Bellenden de Auchnoule, miles Clericus Justiciarie.

The report of the Kingis Commissionaris procedingis at Berwik.

The quhilk day, in presence of my Lord Regentis Grace and Lordes of Secrete Counsale, James Erle of Mortoun lord of Dalkeith Chancellair of Scotland, and Robert Commendater of Dunfermling Secretar Principall to our Soverane Lord his Hienes Commissionaris, maid report of the order of thair procedingis and conclusioun with the Lord Hunsdon lord governour

of Berwick and Commissioner for the Quenis Majestie of England, according to the commissioun and instructionis deliverit unto thame; and my Lord Regent and Lordes of our Soverane Lordis Secrete Counsale findis and declaris that his Hienes Commissioneris foirsaidis hes done honorablie and dewtifullie in thair legatioun according to thair saidis commissioun and instructionis, and discharges thame of the same be thir presentis.

Apud Leith, quinto die mensis Decembris 1571.

Sederunt—

Joannes Comes de Mar, Regens.
Jacobus Comes de Mortoun, Cancellarius.
Patricius Dominus Lindsay.
Willielmus Dominus Ruthven Thesaurarius.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.

Fary aganis Craufurd.

Anent the complent maid be Grissell Fary in Bonytoun and James Henry in Newhevin, makand mentioun—That quhair Capitane Thomas Craufurd, —allegeand that he hes obtenit the escheit of Gilbert Balfoure, and that the saidis complinaris ar addettit thairby to pay to him certane fermes or males of the landis occupiit be thame, quhilkis pertenit of befoir to Margaret Boithuile, spous to the said Gilbert, in lyvrent,—hes be virtew of our Soverane Lordis letters causit officiaris of armes upoun the ferd day of December instant intromet and awaytak fra the said Grissell twa ky, and fra the said James Henry ane lyart hors, and intendis schortlie to caus apprise the same for the fermis foirsaidis wranguslie and expres contrar the law and practik of this realme, in respect the saidis letters are gevin without cognitioun in the caus,—the saidis complinaris not being summondit nor callit to have hard the same gevin as thay aucht to have bene,—and as yit the terme of payment of thair fermis is not cum quhill Candilmes nix to cum, nor liquidatioun maid thairof as aucht to be befoir a juge and ane decreit and declaratour past thairupoun; expres contrar all lawis and practik of this realme, setting aside thairby the gude and observit practik and privilege thairof, to thair havie dampnage and skaith, without remeid be providit thairto. And anent the charge gevin to the said Capitane Thomas Craufurd to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, to answer to the said complent and present the letters abonewrittin as he wald answer upoun his obedience,—like as at mair lenth is contenit in the said complent and executioun thairof,—the said Capitane Thomas comperand personalie, the ressonis and allegationis of the partiis hard and considerit.—My Lord Regentis Grace, with avise of the Lordis of Secrete Counsale, decernis and ordanis the saidis personis complinaris to mak payment of thair males of the saidis landes of the terme of Martymes last bipast to the said Capitane Thomas Craufurd donatour foirsaid, conforme to his gift and the saidis letters purchest be him to be put to executioun as efferis.

Janet Strang contra Ogilvy.

Anent the complent maid be Jonet Strang relict of umquhile Capitane Andro Armstrang, makand mentioun;—that quhair Patrik Ogilvy, movit be quhat occasioun she knawis not, hes not only befoir the deceis of hir said spous bot sensyne, done that lay in him to put hir to publict dishonour and infamy, be crying out horrible and detestable wordis, to kirk mercat and utheris publict places; and siclik in all commoun tables quhair he resortis usis na uther commoning, and hes put hir in sic vile brute that without hir innocencie be knawin—as she is innocent indeid—be compelling of him to mak publict satisfactioun and recantatioun thairof, the commoun people sall esteme hir to be the woman he callis hir; quhairof God and hir awin conscience and hir haill nychtbouris knawis the contrar; sa that gif order be not put to him, she being willing to suffer rigorous triall be ony lauchfull accusar, hir honestie and gude fame salbe callit in doubt. And anent the charge gevin to the said Patrik Ogilvy to answer to the said complent;—baith the parteis comperand personalie, thair ressonis and allegationis hard and considerit, the said complent wes referrit to the said Jonettis probatioun, quha hes sufficientlie pruvit the same be diverse famous witnessis, swǫrne admittit and examinat in the said mater. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secrete Counsale, ordanis letters to be direct, charging the said Patrik Ogilvy to compeir personalie in the kirk of Leith upoun Sonday nix to cum, the ix day of December instant, and thair befoir none and immediatlie befoir the sermon, in presence of the Congregatioun, publictlie to confesse and acknawlege his offence and slander spokin be him aganis the said Jonet, and to ask God and hir forgifnes thairof, under the pane of rebellioune and putting of him to the horne; and gif he failyeis thairin, to denunce him rebell and put him to the horne, and to escheit etc.: and that letters be direct heirupoun in dew forme as efferis.

Apud Leith, xii° die Decembris, anno Domini, etc. lxxi°.

Sederunt—

Joannes Comes de Mar etc. Regens.
Jacobus Comes de Mortoun etc. Cancellarius.
Robertus Comes de Buchane.
Willielmus Dominus Ruthven Thesaurarius.
Patricius Dominus Lindsay.
Adame Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Magister Jacobus Makgill de Rankelour Nethir Clericus Registri.
Joannes Bellenden de Auchnoule miles Clericus Justiciarie.
Magister Joannes Spens de Condye Advocatus.

[Grissell Sempill, lady Stanehous, at the horn for non-payment to the collector of Fiffe of her males of Middle and Craig Fuddis, assumed in the third of the Archbischopric of Sanctandrois and assigned for the Kingis

house, ordered to appear again on 22d December, bringing her letter of tack and infeftment of feu-farm of the said lands, that it may be ascertained how much she owes.]

Archebischop of Sanctandrois aganis Mr. Robert Winrame.

Anent the complent presentit to my Lord Regentis Grace and Lordes of Secrete Counsale be the maist reverend father in God, Archebischop of Sanctandrois, makand mentioun ;—that quhair Mr. Robert Wynrhame as collectour, daylie charges and troubles the tenentis, fewaris, and utheris astrictit in payment of the cayne fowles, stray, corne, and utheris caynis pertening to the Archebischop of Sanctandrois, within the Schirefdome, and will compell thame to mak him payment of the samin, of this instant yeir of God $j^{m}v^{c}lxxi$ yeris, and in tyme cuming, allegeand the samin to be omittit in the rentale of the said Archebischoprik gevin up be Johnne sumtyme Archebischop of Sanctandrois, and swa to pertene to him or the kirk or utherwise for quhat caus I knaw not. Howbeit the saidis caynis ar not contenit in the assumptioun of the thrid of the said Archebischoprik, and swa nawyse can pertene to the said collectour nor yit to the Kirk, bot the samyn aucht and suld pertene to the said Johnne Archebischop foirsaid, without the quhilk he may not gudelie hald hous in Sanctandrois as becumis him. And anent the charge gevin to the said Maister Robert and to the procuratouris of the Kirk for thair interest, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day to answer to the said complent, as the said complent, executioun and indorsatioun of the samyn at mair lenth proportis ; the said reverend father comperand be Maister Johnne Moscrop his procuratour, Maister Rechard Strang ane of the procuratouris of the Kirk comperand personalie, and the said Maister Robert being oftymes callit and not comperand, bot contempnandlie departand notwithstanding the commandiment gevin him, my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis letters to be direct, charging the said Maister Robert and the saidis procuratouris of the Kirk yit as of befoir, to compeir personalie befoir his Grace and lordschippis at Leith, or quhair it sal happin thame to be for the tyme, upoun the thrid day nixt eftir he be chargeit thairto, to answer in the said mater according to the tennour of the complent abonementionat, under the pane of rebellioun and putting of him to the horne ; and gif he failyeis thairin, the said day being bipast, to denunce him rebell and put him to the horne, and to escheit and inbring all his movable guidis to our Soverane Lordis use for his contemptioun.

[Helen Mowbray and her husband represent that certain inhabitants of Edinburgh are erecting shops and booths on their lands in Leith, my Lords, "considering the present necessity of the honest men of Edinburgh now debarred from their own dwellings," decern that the building of these shops shall not be at present impeded, but that it should not be prejudicial to the privilege of the burgh of Edinburgh, nor to the right of the said Helen.]

Leith, 13 December 1571.

[James Earl of Mortoun surety that his brother George Douglas of Parkheid shall pay the King's duty for 32 barrels of lead ore shipped by him in William Wallenge's ship, and accordingly the arrestment on the said lead ore by William Lord Ruthven, thesaurer, is loosed.]

Apud Leith, xiiii die mensis Decembris, anno Domini, etc. lxxi°.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun, Cancellarius.
Robertus Comes de Buchane.
Willielmus Dominus Ruthven, Thesaurarius.
Patricius Dominus Lindsay.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Joannes Bellenden de Auchnoule miles Clericus Justiciarie.
Magister Jacobus Makgill de Rankelour Nethir Clericus Registri.

A discharge of farther resort of people betuix Leith and Edinburgh.

Forsamekle as my Lord Regentis Grace and Lordes of Secrete Counsale, understanding that the Kingis Majesties caus and service is greatlie hinderit and skaithit throw the frequent resort of people betuix this toun of Leith and Edinburgh,—sum of the inhabitantes thairof that actualie assistis and accumpanyes the rebellis and dissobedient subjectis being thairin cuming to Leith and utheris partes of the cuntrie as gif thay had committit na offence, and utheris of befoir withdrawin to Leith now makis commoun trafficque, passand to and fra Edinburgh under a coloret pretense of saulffing and transporting thair guidis being thairin; for remeid quhairof my Lord Regentis Grace, with avise of the saidis Lordes of Secrete Counsale, hes callit bak, renuncit, and dischargit simpliciter, all licences grantit to quhatsumevir personis, for passing and reparing betuix this toun of Leith and Edinburgh, decernand the effect thairof to ceise in all tyme cuming efter Sonday at nycht the xvi day of December instant; commanding and charging all and sindre our Soverane Lordes liegis, men of weir and utheris, that sall apprehend ony passingeris, wemen and barnis of quhatsumevir qualitie, outher duellaires in Edinburgh or Leith or ony utheris,—passand betuix the townis or resortand to Edinburgh be ony indirect wayes,—that thay tak the personis, and use thame as presoners, and deliver thame to the Provest Marcheall, notwithstanding ony licence that thay can pretend unto,—not bering dait eftir the said Sonday nixt at nycht and gevin in plane counsell upoun supplicatioun, and registrat in sic ordour as is commandit; and that this present act and ordinance entir in full executioun upoun Monnonday nixtocum in the morning the xvii day of December instant.

[Obligation, Johnne Forbes of Towes that Patrik Ogilvy shall compear in the kirk of Leith as commanded.]

Leith, 17 December 1571.

Sederunt—

Ut in die predicto.

[Complaint by Johnne Archbishop of Sanctandrois against Robert Winrhame, the collector[1]] the said reverend father comperand be Mr. Johnne Scharp his procuratour and Maister Robert Winrhame compearand personalie, and the procuratouris of the Kirk—Mr. Alexander Syme, Clement Little, and Rechard Strang—not comperand; my Lord Regentis Grace, with avise of the saidis Lordis of Secrete Counsale, decernis and ordanis the said Maister Robert Winram, collectour foirsaid, to desist and ceise fra all farther charging and troubling of the tenentis, fewaris, and utheris astrictit in payment of the caine fowlis, stra, corne, and utheris canis, pertening to the said Archebischoprik of Sanctandrois, and compelling thame to mak him payment of the samin of this instant yeir of God j^{m}v^{c}lxxi yeris and in tyme cuming, ay and quhill he have first obtenit a declaratour decernand the same to be omittit and to pertene to the said collectour or to the kirk; and that letters be direct heirupoun gif neid be in forme as efferis.

Leith, 18 December 1571.

[Robert Colvile of Cleishe and George Elphinstoun citizen of Glasgow sureties that Gawin Elphinstoun, brother of the said George, shall compear before the Council when required.

Leith, 20 December 1571.

Patrick Burne in the Hill obliges him that Johnne Craufurd of Kynneill shall remain at home, behaving himself as an obedient subject—not assisting or intercommuning with the King's rebels.

Leith, 21 December 1571.

Patrik Congiltoun in Leith obliges him that Walter Malvile in Grantoun shall remain in the house of Bessy Clappertoun in Leith until relieved.

Obligation, Thomas Glen in Leith that Johnne Tod in Abirdour shall compear when warned, and that he will not carry any disobedient subjects across the ferry; and the said Johnne and James Scott and William Cant, partners of the said Johnnes boat, oblige them to relieve the surety.]

[1] *Supra*, p. 101 (12th Dec. 1571).

Leith, 25 December 1571.

Ordering of all presoners takin. Forsamekle as it [is] understand to my Lord Lieutenent and Lordes of Secrete Counsale present with him, that oure Soverane Lordis trew and faithfull subjectis, alsweill suldartis and men of weir as utheris, quhilkis hes continewit in his Majesties service, and takin be his Hienes dissobedient subjectis withalderis of the burgh of Edinburgh aganis his Majestie and his auctoritie, ar not onlie haldin and detenit in maist strait and vile presoun within the said burgh, bot als usit utherwise verie uncourteslie and unhonestlie, albeit the prisoners takin on this syde hes bene mair gentlie handillit in all tymes past, and bettir nor thay aucht,—quhairas the just executioun of the lawis mycht have bene usit aganis thame, for that thay manteine manyfest tressoun aganis oure Soverane Lord and native Prince; quhairfoir na less can be done nor that all personis takin presoneris on this syde be semblablie usit; ordanis thairfoir an officiar of armes to pas to the Peir and Schoir of Leith and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and auctoritie, command and charge all and sindre his Majesties liegis and subditis quhatsumevir, quhilkis hes takin ony presoners and hes thame in thair handis or keping, or lettin thame to band upoun promise to entir agane,—and specialie the personis takin upoun Monnonday the tent day of December instant,—that thay incontinent call for thair entrie, and be reddie to present thame befoir my Lord Lieutenent within his awin ludging in Leyth, upoun Fryday nixt the xxviii day of December instant, at ten houris afoir none, that ordour may be takin with thame as appertenis. And siclike to command and charge, all and sindre personis quhilkis hes ony presoneris within this toun of Leith not yit lettin to libertie, that thay on na wayis suffer thame to have thair libertie or frie passage up and doun this toun; bot to keip thame in sure houssis quhill thay be presentit the day foirsaid, as thay will answer upoun thair charge and perill; certefeing all and quhatsumevir personis that dois in the contrair, the presoner quhatsumevir fund havand the said libertie and passand to and fra within this toun as said is, salbe decernit as lauchfull presoner to his taker quhatsumevir that sall apprehend him doand incontrar the tennour of this Act; quhairunto the samin sall serve thame as a sufficient warrand. Sic subscribitur, Mortoun.

Lady Pharnihirst aganis Bernbougall. Anent oure Soverane Lordis letters raist at the instance of Dame Katherene Ker Lady Pharnihirst, makand mentioun;—that quhair albeit she hes obtenit decreit of the Lordis of Sessioun aganis Johnne Mowbray of Bernbowgall, as cautioner for Sir Thomas Ker sumtyme of Pharnihirst knycht, hir sone, of certane sowmes of money for contraventioun of ane decreit of removing obtenit be the said Dame Katherene aganis hir said sone; and in hoip of concord she delayit the executioun thairof; and seing that hir said sone dailie continewis in his malice aganis his said mother, and hes debarrit hir fra hir haill leving, swa that throw verie necessitie she with hir barnis and familie is constrenit to seik support and sustentatioun of

freindis, having na uther support. And anent the charge gevin to the said Johnne Mowbra of Bernbowgall to compeir befoir my Lord Regentis Grace and Lordis of Secrete Counsall at ane certane day bipast, to have answerit to the said complent, and to heir and se ordour takin thairanent as appertenis, under the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failzeit letters suld be direct simpliciter to put him thairto, as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof.—The said Dame Katherene Ker comperand be Andro Ker, hir secund sone, and the said Johnne Mowbray being oftymes callit and not comperand, the Lordis of Secreit Counsale decernis and ordanis letters to be direct to officiaris of armes, Shereffis in that part, charging thame to pas and denunce the said Johnne Mowbray rebell and put him to the horne, and escheit and inbring all his movable guidis to his Hienes use for his contemptioun, efter the forme and tennour of the saidis letters. Sic subscribitur, Mortoun.

Leith, 26 December 1571.

Caution for Agnes Sinclair.

The quhilk day in presence of my Lord Lieutenent and Lordes of Secret Counsale present with him, Henry Lord Sinclair become actit cautioner and souirtie for Agnes Sinclair relict of umquhile Patrik Erle Bothuile, that the said Agnes sall compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall, or the said Lieutenent, as she salbe chargeit thairto personalie or at hir duelling place, upoun sex dayis warning, under the pane of ane thousand pundis; and siclike that she in the meyntyme sall nawyse ressett, supplie, nor intercommoun with, William Hepburne bastard sone to James sumtyme Erle Bothuile, Ormistoun sumtyme of that Ilk nor nane utheris our Soverane Lordis declarit traitouris, notorious rebellis and conspiratouris aganis his Majestie, under quhatsumevir cullour or pretense, under the pane foirsaid. Sic subscribitur, Henry Lord Sinclair.

[George Campbell of Dreven surety for David Hamilton son of the late Hamilton of Cambuskenneth.

Leith, 29 December 1571.

Captain Andrew Trail surety for David Crichton, servant of the Earl of Craufurd.]

Leith, 22 December 1571.

Sederunt—

Joannes Comes de Mar etc. Regens.
Jacobus Comes Mortoun etc. Cancellarius.
Patricius Dominus Lindsay.
Adam Episcopus Orchadensis.
Joannes Bellendene de Auchnoule miles Clericus Justiciarie.
Magister Jacobus Macgill de Rankelour Nethir Clericus Registri.

Stewart aganis Levingstoun.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordes of Secrete Counsale be Alexander Stewart of Scottistounhill schiref-depute

of the schirefdome of Linlythgow specialie and sufficientlie constitute, makand mentioun;—that quhair he obtenit ane decreit of his Grace and Lordes foirsaidis, with letters thairupoun, wherwith the said Alexander causit charge Johnne Levinstoun, allegit Sheref-depute of the said Sheref-dome, to desist and ceise fra all halding of courtis or using of the said office be virtew of ony allegit richt maid to him, or troubling or impediment making to the said Alexander and his colleges in using of the same and all privilegis appertening thairto; utherwise then be ordour of law and justice; discharging the said Johnne and all utheris allegit Shiref-deputis quhatsumevir, of all halding of courtis or troubling of the said Alexander in the meyntyme and of thair offices in that part, as at mair lenth is contenit in the saidis decreit and letters; quhilkis being execute upoun the said Johnne Levingstoun as said is, notwithstanding, he hes not onlie dissobeyit the same, be halding of courtes sensyne, bot als he with sic forceis as he could convene tuke the tolbuith of Linlythgow upoun the day of November last bipast, and kepit the same as ane hous of weir be the space of aucht dayes thaireftir; as alsua tuke Nicholl Townis clerk of court to the said Alexander captive with him; swa that quhen he came to hald courtes he could gett na entres, bot wes debarrit be force; in hie and manifest contemptioun of our Soverane Lordis authoritie and lawes, and to the evill exempill of utheris to do the lik gif this be sufferit to remane unpunist. And anent the charge gevin to the said Alexander Stewart to compeir befoir my Lord Regentis Grace and Lordes of Secrete Counsale to answer to the said complent, baith the parteis comperand personalie, the said Johnne Levinstoun acceptit the said complent in sa far as the same maid for him and na utherwise, and als tuke instrumentis that the said Alexander Stewart producit his letter of deputry maid be James Hammyltoun of Kincavill, as sheref principall of Linlythgow, as for his titill to persew the said complent. My Lord Regentis Grace, with avise of the Lordes of Secrete Counsale, considering the said allegiance and diverse letters and evidentis, producit be thame of the saidis partiis in the said mater, continewis the same—and als the materis to be laid to the charge of Nicholl Townis and Johnne Adis—in the same forme, force, and effect as thay ar now, but prejudice of party, quhill the xii day of Januar nix to cum, all parteis present being warnit heirto apud acta.

Striveling, 24 and 26th December 1571.

[Johnne Hammyltoun and William Hammyltoun, sons of the late William Hammyltoun tutor of Cambaskeith, failing to appear put to the horn.

Leith, 15 January 1571.

Surety, Hew Lord Lovet for Mr. Donald Fraser, Archdeacon of Ross, appearing.]

The articles and formes of letters concernyng provisioun of personis to benefices and spirituall promotionis agreit upoun be the commissionaris

for the Kingis Majestie and of the reformit kirk of Scotland in thair conference had at Leith in the moneth of Januar 1571 yeris.[1]

Commissioun to deale with the Commissioners of the Kirk.[2]

Commissioun for the Commissioners of the Kirk.[3]

Anent Archebiscoprikkis and Bischoprikkis.[4]

Anent Abbaciis, Prioriis, and Nunriis.[5]

Anent benefices of cure under Prelaciis.[6]

Of Provestriis of College Kirkis and utheris benefices under prelaciis quhairunto diverse kirkis are annext.[7]

Of the dispositioun of Provestreis, Prebendareis in College Kirkis, fundit upoun temporall landes or annuellis, as alsua of Chapellanreis, being of the like foundatioun for support of the scoles and increase of letters.[8]

Generall articles for reformatioun of certane abuses.[9]

The manner of creating of a Bischop.[10]

Licence to Cheis.[11]

Letter commendatory to the deane and cheptour to elect N. to be Bischop.

The forme of the Edict to convene the cheptoure for electioun.[12]

The testimoniale of the Deane and Cheptoure returnit to the King and his Regent.[13]

In cais the persoun nominat be not found qualifiit.[14]

The confirmatioun, provisioun and royale assent upoun the Cheptoures certificat maid of thair electioun.[15]

Gif he be a Bischop already, and is to be translatit, then thir wordes:[16]

Efter the consecratioun the new maid Bischop sall compeir befoir the Kingis Majestie or his Regent, and mak his ayth as followis:[17]

Restitutioun of the Bischoppes temporalitie.[18]

Toward the Chapters of Metropolitan and Cathedrall kirkis:[19]

For the seitt of Sanctandrois.[20]

For the seatt of Glasgow.[21]

The names of sex of the chaptour that ar already ministers.[22]

The personis adjoynit.[23]

The like order toward the remanent Bischoprikkis having benefices appointed to sic as could be of the Chaptoure.

The forme of a letter directit to the Ordinar—or the seitt vacand to the Deane or uther nixt constitute in dignitie—of the Cheptour, in the favour of a persoun to be promovit to ane Abbacy or Priory.[24]

The testimoniall of the Ordinar returnit to the Kingis Majestie or his Regent.[25]

In cais the persoun nominat be not found qualifiit.[26]

The gift and provisioun upoun the Ordinaris certificat.[27]

[1] Printed in "Acts and Proceedings of the General Assemblies of the Kirk of Scotland from the year MDLX., collected from the most authentic Manuscripts," known as "The Booke of the Universall Kirk," Part i. pp. 207-222.

[2] P. 207. [3] P. 208. [4] P. 209. [5] P. 210. [6] P. 211. [7] P. 213. [8] P. 214. [9] P. 215. [10] P. 217. [11] P. 217. [12] P. 218. [13] P. 218. [14] P. 219. [15] P. 219. [16] P. 220. [17] P. 220. [18] P. 220. [19] P. 221. [20] P. 222. [21] P. 224. [22] P. 225. [23] P. 225. [24] P. 226. [25] P. 227. [26] P. 227. [27] P. 227.

The forme of a letter direct to the maister of the grammer scoile in favour of a bursar student in grammar.[1]

The answer of the maister of the grammer scole.[2]

The gift and provisioun upoun the certificat of the maister of the grammer scole.[3]

For a bursair in art the like formes, changing the termes in the presentatioun, the space and quantitie of rent.[4]

For a bursar student in theologie the like formes, changing termes in the tyme, quantitie of rent and uther wordes neidfull.[5]

The forme of the ayth to be gevin be the persoun providit to ony benefice with cure, the tyme of his admissioun be the ordinar, as alsua, be bursaires in art theologie the lawes or medicine, the tyme of thair recept in the universitie.[6]

Oure Soverane Lord being informit of the qualificatioun, literature and gude conversatioun of his weilbelovit A. B., and of his ernist affectioun to travell in the charge and office of minsterie within the kirk of thairfoir, with avise and consent of his Hienes richt traist cousing Johnne Erle of Mar Lord Erskin, Regent to his Hienes, his realme and liegis, ordanis ane letter to be maid under the previe seill in dew forme, nominatand and presentand the said A. B. to the Vicarage or Personage of C., vacand throw deceis of umquhile D. E. last Vicar and possessour thairof; and that the said letter be extendit in the best forme with all claussis neidfull, direct to the Archbischop, Bischop, Superintendent or Commissioner of F., requiring him to try and examinat the doctrine, qualificatioun, literature and conversatioun of the said A.; and gif he salbe fund meit and able to use the charge and office of ane minster within the kirk of God, to ressave and admit him to the said Vicarage, ressave the Confessioun of his faith, his ayth for acknawleging and recognoscing of oure Soverane Lordes auctoritie and dew obedience to his Ordinar, and to gif him testimoniall of his admissioun as efferis; or in caise of his insufficiency for the said charge and office, to report the samin to his Hienes and his said Regent, that ane uther bettir qualifeit persoun may be of new nominat and presentit to the said vicarage; and alsua ordanis the Lordes of Counsale and Sessioun, at the sicht of the said letter under the Previe Seill—and of the said Superintendentis, Commissioners or Bischoppis, etc., testimoniale of his admissioun,—to grant and direct for answering and obeying of the said A. B., his factouris and utheris in his name, off the fruitis, rentes, proffites and deweties of the said Vicarage, in competent forme as efferis. Subscrivit be the said Lord Regent at the day of, etc.

[1] Printed in "Acts and Proceedings of the General Assemblies of the Kirk of Scotland from the year MDLX., collected from the most authentic Manuscripts," known as "The Booke of the Universall Kirk," Part. i. p. 228.

[2] P. 229.

[3] P. 229.

[4] P. 230.

[5] P. 230.

[6] P. 230.

Apud Leith, xix die mensis Januarii, 1571.

Sederunt—

Joannes Comes de Mar, Dominus Regens.
Jacobus Comes de Mortoun, etc., Cancellarius.
Willielmus Dominus Ruthven, Thesaurarius.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling Secretarius.
Joannes Bellenden de Auchnoule miles Clericus Justiciarie.
Magister Jacobus Makgill de Rankelour Nether Clericus Registri.

Cautioners for certain persons to enter in ward.

[The persons underwritten become sureties for certain persons entering in ward in certain places, and remaining until relieved; also that they shall not intercommune with the King's declared traitors, or assist them with their goods; the persons to enter in ward, the place, and the sureties are the following:—

Person to enter, and Place.	Surety.
Johnne Creichtoun of Brunstoun, in Kirkcudbrycht.	William Forester indwellar of Leith, cautioner.
Gilbert Hay of Monktoun, in Kirkcudbrycht.	Williame Hay of Wyndane.
James Heriot of Trabroun, in Kirkcudbrycht.	Thomas Monypenny of Kinkell.
Thomas Fawsyde of that Ilk, in Kirkcudbrycht.	James Rig of Carbarry.
Williame Dowglas of Quhittinghame, in Wigtoun.	Andro Ker of Fawdounsyde.
Sir David Hammiltoun of Fingaltoun, in Wigtoun.	Johnne Symentoun of that Ilk.
Johnne Hume younger of Spott, in Wigtoun.	Williame Reidpeth younger of that Ilk.
Johnne Mowbray of Barnbowgall, in Wigtoun.	Williame Lawder of Haltoun.
Johnne Hay of Tallo, in Glasgow.	Johnne Sydserf of that Ilk.
Johnne Seytoun, bailie of Tranent, in Murray between Spey and Findorn.	Andro Ker of Fawdounsyde.
Mr. Williame Pennycuke, parson of Pennycuke, in Drumfreis.	Alexander Wardlaw of Kilbabertoun.
Sir Williame Scott of Balwery, in Air.	Williame Moncreif younger of that Ilk.
Mr. George Creichtoun in Dunfermling, in Quhitherne.	James Striveling of Keir.
Mr. Johnne Abercrumby, advocate in Coustoun, in Quhitherne.	Johnne Anstruder of that Ilk.
James Sandelandis of Sanctmonanis, in Irwin.	Thomas Monypenny of Kinkell.

Sir Patrik Leirmonth of Dersy to compear before the Council by the penult day of January, David Lindsay of Pyotstoun being surety.

A testimonial produced, certifying the informity of Andro Balfour of Monquhany.

Henry Wardlaw of Torry and Johnne Kynneir of that Ilk are put to the horn for failure to appear.]

Leyth, 19 January 1571.

Anent the passing of Capitane Craufurdis infeftment.

Forsamekill as it is understand to my Lord Regentis Grace how Capitane Thomas Craufurde of Jordanhill, obtening heretabill infeftment of few-ferme of the mylne mylnelandis and multuris of Parthik, with the Bischoppis medo; the subscriptionis of the Cheptour, and commoun seill, being requirit to the same infeftment, his Grace hes diverse tymes requestit the Dene and Cheptour of Glasgow to that effect; quhais delay to satisfie his Grace hes procedit on this, that thay wer unwilling to entir a preparative consenting to the few of the landis and rowmes being of the patrimony of the said Archebischoprik quhilkis ar possessit be auld and kyndlie rentalit tenentis; bot my Lord Regentis Grace considering that nane can pretend present titill or clame of kyndnes to the possessionis specifiit in the said Capitane Thomas few charter, and that his service hes meritit mair speciall regarding nor utheris,—thairfoir his Grace continewand his said requeist effectuislie, desyris and requiris the saidis Deane and Cheptour, to pas the said Capitane Thomas charter and infeftment of the said mylne, mylnelandis, multuris and medo, under thair subscriptionis and commoun seill as efferis: promittand that his Grace heireftir, sall not requeir move nor preis thame, to consent to ony infeftmentis or utheris rychttis of the landis and possessionis pertening to the said Archebischoprik now being possessit be kyndlie rentalit tenentis; dischargeing the saidis Deane and Cheptoure of the same be thir presentis, nochtwithstanding ony letter direct or to be direct be his Grace in the contrair; and ordanis this present discharge to be extendit in forme of Act of the Secreit Counsall and to be insert and registrat in the bukis thairof ad futuram rei memoriam.

Leyth, 21 January 1571.

Sederunt—

Domini ut in die predicto.

Toun of Jedburgh.

Anent oure Soverane Lordis letters rasit at the instance of the Provest, Baillies, Counsall and communitie of the burgh of Jedburgh, makand mentioun;—that quhair certane thair nychtbouris of the said burgh namyt Hector Rutherfurde sone to Barthilmo Rutherfurde burges thairof, Thomas Wilsoun thair, and utheris, being upoun Thurisday last bipast the tent of this instant, cumand fra the said burgh to this toun of Leyth with four pakkis of skynnis pertening to the

said Barthilmo, wes tane be the way at the cobill of Dryburgh, be Robert Ker of Wodheid, Henry Haliburtoun of Mertoun, thair sonnis, brethir and servandis, and had bak with thame to the said Robertis hous in Ancrum, quhair thai put and kest thame in the pit thairof, and contineualie sensyne and as yit wranguslie detenis and withhaldis thame in captivitie and pressoun thairintill, committand thairthrow manifest oppressioun upoun thame and usurpatioun of oure Soverane Lordis authoritie, thay being his Majesteis fre liegis, commitand na offence, bot onelie passand out the hie way fra the said burgh to this toun of Leyth as puyr travellouris in sobir and sympill maner, belevand na harme to have bene done to thame in thair jornay; quhilk manifest wrang and oppressioun gif it be pretermittit unpuneist, it wilbe unpossibill to ony passingeris to travell betuix the said burgh and this toun or utheris partis of the cuntre, to the greit heirschip, dampnage and skayth of the maist part of the inhabitantis thairof. And anent the charge gevin to the saidis Robert and Henry, to put the saidis personis to libertie and fredome within thre dayis nixt eftir the charge under the pane of rebellioun and putting of thame to the horne; and siclyke to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall at Leyth, or quhair it sould happin thame to be for the tyme, this day, and at this same day to have brocht and presentit befoir my Lord Regentis Grace and Counsall the saidis personis wranguslie detenit be thame in captivitie as said is, in cais thai be not alreddy put to libertie, under the said pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit, letters sould be direct to denunce thame rebellis and put thame to the horne; and to escheit and inbring all thair movabill gudis to oure Soverane Lordis use for thair contemptioun, as the saidis letters, executioun and indorsatioun thairof at mair lenth proportis. Williame Howburne ane of the burgessis of the said burgh comperand in name and behalf of the saidis Provest, Baillies, Counsall, and communitie of the samyn, and the saidis Robert Ker and Henry Haliburtoun being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and denunce the saidis Robert and Henry oure Soverane Lordis rebellis, and put thame to the horne, and to escheit and inbring all thair movabill gudis to his Majesteis use for thair contemptioun, eftir the forme and tennour of the saidis letters.

Robert Ker of Wodheid.

Apud Leyth, xxiii Januarii, anno, etc. Domini j^{m}v^{c}lxxi^{o}.

The Commissionaris of the kirk hes grantit and assignit, and be the tennour heirof grantis and assignis the sowmes of money and victuallis underwrittin for the support of the Kingis Majesteis estate and commoun effaris of the realme, of the crop and yeir of God j^{m}v^{c} thre scoir ellevin yeris instant and in tyme cuming; that is to say, to the support of the

Assignatioun to the Kingis hous.

Kingis Majesteis hous the sowme of iii^{m}vi^{c}xxxi ℔. iii ß. v đ.; and for payment thairof—

The money of the thrid of the Abbay of Kinloss—iii^{c}lxxxiiii ℔. iiii đ.

The money of the thrid of the Bischoprik of Murray—v^{c}xlix ℔. xv ß. ix đ.

The money of the thrid of the Bischoprik of Abirdene—v^{c}li ℔. v ß. viii đ.

The money of the thrid of the Abbay of Abirbrothok—viii^{c}xxvii ℔. xv ß.

The money of the thrid of the Bischoprik of Sanctandrois—viii^{c}iii ℔. xii ß. iii đ.

The money of the thrid of the Bischoprik of Dunkeld—v^{c} ℔.

Summa—

And becaus Sir Patrik Leirmonth of Dersy knycht, Provest of Sanctandrois, hes obtenit ane decreit befoir the Lordis of Counsale and Sessioun tuicheing his awin few males to be allowit to him in his baillie fe, quhairthrow sa mekill will presentlie inlaik of the thrid of the Beschoprik of Sanctandrois; thairfoir in place thairof for the present yeir, and in tyme cuming quhill the said decreit be reducit, the Commissionaris hes grantit and assignit the sowme of xlvi ℔. xiii ß. iiii đ. to be payit be the collectour present and to cum.

Item to the support of my Lord Regentis Grace hous, out of the handes of every ane of the collectouris underwrittin, the sowme of fyve hundrith and fifty merkis, with the thrid of the provestrie of Methven, makand out in the haill v^{m} merkis.

Item to Maister James Haliburtoun, Provest of Dunde, his pensioun out of the thrid of Scone extending in money to xlvi ℔. xlviii ß.

Quheit out of Scone, . . . v ch. ii ƀis. ii part ƀ.
Beir out of the same, . . . xvi ch. x ƀis.
Meill out of the same, . . vi ch.

Summa of victuale xxviii ch. xii bollis 2 part bollis, and of money xlvi ℔. xviii ß.

To the Maister of Requeistis out of the thrid of Balmerinoch—ii^{c} ℔. As to the Lard of Granges auld pensioun or tak out of Westir Kingorne, Auchtertule and Fynnonth, extending to i^{c}lvii ℔. iii ß. iiii đ. money, iii chalderis x bollis beir, xiiii chalderis v bollis aittis, with the thrid of the lyme and of the assignatioun maid to the Castell of Edinburgh of the silver of the Abbay of Scone in money—iii^{c}xxxiiii ℔. ii ß. i đ. 3 part đ. and xlvi chalder victuale rymnand met out of Scone, Dunfermling and Sanctandrois, quheit, beir, and meill of the crop 1570; be agrement the same is ordanit to be equalie dividit betuix the ministerie and to the Kingis use, and in respect of the assignatioun maid alreddy to the ministerie of

the same of this instant yeir and crop, it can not convenientlie be sparit, bot thaireftir for the tyme to cum, the Commissionaris hes thocht meit and aggreit that it sall returne to the use of the King for the support of the said Castell howsone it cumis to his obedience, or utheris the neidfull effaris of the State.

Item, to my Lord now Regent for support of his expenssis attending upoun the Kingis persoun, the thrid of the silver of Jedburgh with Restennot—iii^{c}xxxiii ℔. viii ß. viii ₰.; the commoun kirk of Welstoun xl ℔., Vicarage thairof, xv ℔.; Vicarage of Falkirk, xiii ℔. vi ß. viii ₰.; Vicarage of Kilmacolme, xi ℔.; summa—iii^{c}lxxxxiii ℔. iii ß. iiii ₰.; togidder with the thrid of meill, quheit and beir of Jedburgh and haill victuale of Dunblane, bayth extending to xli ch. viii bollis iii firlots.

Item, for keping of the Castell of Dunbartane out of the thrid of Paslay—xx chalder victuale.

Item, in hors corne to my Lord Regent fourty chalder aittis grantit and assignit to be payit in maner following, viz. out of Fyff of the present yeir 1571 and for the tyme to cum a speciall assignatioun salbe maid befoir October nixt.

Item, it salbe lauchfull to the Kingis Majestie, with avise of my Lord Regent, to mak and constitute Collectouris and Chalmerlanis ane or ma for craving, collecting, and inbringing, of the money and victuallis abonewrittin assignit to the support of the Kingis Majesteis hous, and utheris speciall assignationis abonewrittin, dischargeing the Collectouris of the Kirk of all intromissioun with the same.

Item, grantit and assignit to Agnes Scott during hir wedoheid the sowme of twa hundrith merkis of the thrid of the Abbay of Culros.

And this assignatioun to lest and indure this present yeir and crop, and yeirlie in tyme cuming quhill farder ordour be tane.

The names of the Collectouris and thair boundis.

Patrik Davidsoun, Ross herauld, Collectour of Ross, Sutherland, Strathnaver, and Caithnes.

David Danbar, Collectour of Murray.

Johnne Calder of Aslowne, Collectour of Abirdene and Banff.

William Foulartoun, Collectour of Mernis and Angus.

David Murray, Collectour of Perth. } Togidder.
Maister Robert Winrame, Collectour of Fyff. }

Thomas Lindesay, Snawdoun herauld, Collectour of Lowthiane and Merse.

Williame Ruthirfurd, Collectour of Roxburgh, Selkirk, and Peblis.

James Boyd, Collectour of Lanark, Renfrew, Striveling, Dumbartane, Kyle, Carrik, and Cunynghame.

Hary Smyth, Collectour of Niddisdaill and Galloway.

R. Dunfermling. Johnne Erskin. Mr. Williame Lundy.
Hew Wallace of Carnell. Maister Johnne Winrame. Robert Pont.
Mr. Andro Hay. Bellenden. David Lindesay.

The Commissionaris of the Kirk, for diverse gude considerationis moving thame, hes grantit and disponit to Alexander Commendatare of Culross, ane of the Senatouris of the College of Justice, the thrid of his benefice of the Abbay of Culross, and makis and constitutis himself collectour and intromettour thairwith of this present crop and yeir of God $j^{m}v^{c}lxxi$ yeris, and in tyme cuming quhill farder ordour be tane, he payand yeirlie thairfoir the sowme of fyve hundrith merkis; that is to say, the sowme of twa hundrith merkis to Agnes Scott, and the rest to the Collectour of the thridis in theis partis; and ordanis the said Commendatare to find sufficient cautioun to the Collectour for the same.

To denunce the Provest of Lintclowden.

The quhilk day, anent the charge gevin be vertew of oure Soverane Lordis letters,—under his Hienes signet, and subscriptioun of my Lord Regentis Grace,—to Maister Robert Dowglas Provest of Lintcluden, to compeir personalie befoir his Grace and Lordis of Secreit Counsall this day, to have answerit to sic thingis as sould have been laid to his charge, tuicheing his intercommoning, intelligence, assistance, and partaking, with James sumtyme Duke of Chestellarault, Johnne sumtyme Commendatare of Abirbrothok, Claude Hammiltoun his sonnis, George sumtyme Erll of Huntly, Williame Maitland of Lethingtoun youngar, and utheris forfaltit and declarit tratouris aganis oure Soverane Lord and his authoritie, in the monethis of August and September last bipast, and sic utheris thingis as sould be inquirit of him at his cuming, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct to put him to the horne, as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being oftymes callit and the said Maister Robert not comperand, my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, ordanis letters to be direct to officiar of armes, Shereffis in that part, chargeing thame to pas and denunce the said Maister Robert oure Soverane Lordis rebell and put him to the horne; and to escheit and inbring all his movabill gudis to his Majesteis use, for his contemptioun, eftir the forme and tennour of the saidis utheris letters.

Assignatioun for Mr. David Wemys.

Anent the supplicatioun presentit to the Commissionaris appointit be the Kingis Majestie and the Assemble of the Kirk be Maister David Wemys minister at Glasgow, makand mentioun;—that quhair he hes servit in the office of ministerie at the said Citie be the space of ten yeris bipast in sum troubill and without certantie of his stipend,—requirand that he may understand at quhais handis he sall crave the same in tyme cuming: quhidder of the personage of Glasgow quhairof the frutis are now intromettit with be Maister Archibald Dowglas, or utherwayis; the Commissionaris having consideratioun of the raritie of qualifiit personis, Senatouris in the College of Justice of the spirituall estate, and willing to remove all occasioun of contentioun, hes concludit, and be this present Act decernis and declaris, be consent of the saidis Maister Archibald and David, that the said Maister

Archibald salbe owersene to brouke the personage of Glasgow be sic rycht and possessioun as he hes alreddy thairof during his lyff. And the said Maister Archibald sall content and pay to the said Mr. David salang as he sall continew minister of Glasgow, or to the utheris that sall succeid to him in that charge, thair yeirlie stipend, extending to the sowme of twa hundrith pundis, at twa termis in the yeir, Witsonday, and Martimes in wintir, be equall portionis, begynnand the first termis payment at the Feist of Witsonday nix to cum in the yeir of God j^{m}v^{c} thre scoir twelff yeris, and that in payment and satisfactioun of the thrid of the said parsonage. And to the effect the said thrid may be recoverit agane according to the full rentall that the samyn extendit unto the yeir of God j^{m}v^{c}lxi yeris, commandis the Procuratouris of the Kirk to persew at thair instance for reductioun of quhatsumevir giftis and dispositionis maid of the same thrid in prejudice and diminutioun of the first rentall, quhairthrow the said Maister Archibald may brouke the said haill thrid and may be abill thairby to pay the sowme of twa hundrith pundis to the minister foirsaid; providing that this salbe na preparative to uther the lyke thingis heireftir; and that the said Maister David be payit of his stipend as he hes bene heirtofoir quhill the said Feist of Whitsonday nix to cum; and als, with avise and consent of the saidis Maister Archibald and David, ordanis thir presentis to be actit and registrat in the bukis of Counsall, to have the strenth of ane act and decreit of the Lordis thairof, and letters and executoriallis of horning or poinding to pas thairupoun in forme as efferis. In witnes heirof the Commissionaris of the Counsall and Kirk hes commandit thir presentis to be subscrivit be the Scrybe of the Prevy Counsall in thair names; and the saidis Maister Archibald and David, in takin of thair consentis and for thair interessis, hes subscrivit thir presentis with thair handis, day, yeir and place foirsaidis, befoir thir witnessis, Robert Commendatare of Dunfermling, Maister James Makgill of Rankelour Nethir Clerk of Register, Johnne Bellenden of Auchnowle Justice Clerk, and Alexander Hay Scrybe to the Prevy Counsall. Sic subscribitur. Mr. Archibald Dowglas. Maister David Wemys minister at Glasgow. Alexander Hay.

Leyth, 26 January 1571.

[Jame Hoppringill burgess of Peblis having been licensed to carry from Leyth to Peblis two tun of wine, Johnne Murdo tailor obliges him that the same shall not be taken to Edinburgh.]

Apud Leyth, penultimo Januarii, anno lxxi^{o}.

That nane resset Fairnyhirst.

Forsamekill as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsale, how the Provest, Baillies, Counsall, communitie, and inhabitantis of the burgh of Jedburgh, being our Soverane Lordis faythfull and obedient subjectis, ar havelie harmit, injurit, and oppressit, be Thomas Ker, sumtyme of Fairnyhirst, knycht, declarit tratour and forfaltit in Parliament;

quha be him self, his complices and assistaris, not onelie pretendis the wrak, owerthraw, and distruction, of the said Burgh and inhabitantis of the same, be hounding of thevis and suffering of thevis and tratouris to reif thair gudis and geir, bot als be plane force and convocatioun of all sic as will do for him, to persew the said Burgh and inhabitantis of the same be fyre and swerd, to the greit skayth of the commoun weill and hinderance of our said Soverane Lordis authoritie and service gif tymous remeid be not put to thair temerarious attemptattis; [therefore a proclamation to be made at the market cross of Jedburgh and other places needful, forbidding the lieges to furnish the said Sir Thomas with victuals, armour, or any other favour, and charging the Warden of the Middle Marches, the Sheriff of Roxburgh, and all the landed men with the inhabitants of towns within the shires of Roxburgh, Berwick, Selkirk and Peebles to rise and defend the burgh when warned by letters or messengers, or by burning of "baillis" and raising of "frays," against the invasion of Sir Thomas Ker and his "complices."

George Broun of Colston surety that Williame Dowglas of Quhittinghame shall enter in ward in Air.

David Sinclair of Blanse surety that George Hume younger of Spott shall enter in ward in Coldinghame.

Patrik Congiltoun in Leyth surety that Walter Melvile in Grantoun shall appear before the Council when required.

Andro Murdistoun burgess of Edinburgh surety that Mr. Williame Pennycuke, parson of Pennycuke, shall enter in ward in Kelso.]

Apud Leyth, sexto Februarii, anno, etc. lxxi°.

Sederunt—

Joannes Dominus Regens.	Adam Episcopus Orchadensis.
Willelmus Dominus Ruthven.	Robertus Commendatarius Dunfermling.
Willelmus Dominus Yeistir.	Clericus Registri.

Forsamekill as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsale, that Sir Thomas Ker sumtyme of Fairnyhirst knycht, having massit togidder a force of the dissobedient subjectis to oure Soverane Lordis authoritie, with the thevis and brokin men inhabiting the Bordouris and sum men of weir, intendis to invade and persew the burgh of Jedburgh and inhabitantis thairof with utheris his Hienes obedient subjectis in the sowth cuntre with fyre and swerd, without thair temerarious attemptattis be spedelie redressit; thairfoir ordanis letters to be direct to officiaris of armes, chargeing thame to pas to the Peir and Schoir of Leyth, and to the mercat croces of the burrowis of Hadingtoun, Dunse, Lawder, Jedburgh, Selkirk, Peblis, and utheris places neidfull, and thair be oppin proclamatioun command and charge all and sindry our Soverane Lordis liegis dwelland within the boundis of the sherefdomes of Edinburgh prin-

cipall and within the constabularie of Hadingtoun, Berwik, Roxburgh, Selkirk, and Peblis, betuix lx and xvi yeris, and utheris fensabill personis alsweill dwelland to burgh as to land, within regalitie as rialtie, that thai, weill bodin in feir of weir, with sex dayis victuallis eftir thair cuming, addres thame to be at the burgh of Jedburgh within the space of xxiiii houris eftir the publicatioun of the saidis letters; and thair to attend upoun Williame Lord Ruthven Thesaurare to our Soverane Lord and Lieutenent to his Hienes as thai salbe commandit, for defence and preservatioun of the said burgh and inhabitantis thairof, and utheris our Soverane Lordis gude subjectis, or invasioun of the saidis rebellious and dissobedient subjects, under the pane of tinsell of lyff, landis and gudis.

Band for pursuit of Fairnyhirst.

[The subscribers oblige them to rise against the King's enemies, and especially against the Laird of Fairnyhirst and his accomplices or the thieves within Liddisdaill, Eskdaill, Ewisdaill, or Annanderdaill; they shall apprehend any of the thieves or rebels found within their bounds, presenting them before the Justice or Warden; they shall rise when any "bailis" or other warnings shall be made for the relief of any of them oppressed by the rebels; they shall not permit the order lately taken by the Lord Lieutenant for keeping good rule to be broken; if they fail in any of the premises they are willing to be pursued as breakers of the general band. Subscribed at Jedburgh, 12 February 1571.]

Followis the subscriptionis of the said Band.

Walter Ker of Cesfurde knycht.
Williame Ker youngar of Cesfurd.
James Hume of Fynlawis knycht.
Johnne Edmonstoun of that Ilk.
Johnne Rutherfurde of Hunthill elder.
Richard Rutherfurd of Edgarstoun.
Thomas Turnbull of Bedroull knyhct.
Nicholas Rutherfurde of Hundoley.
Andro Rutherfurd younger of Hundoley.
Andro Ker of Fawdounside.
Williame Turnbull of Bamhillis.
Williame Douglas of Bonjedburgh.
Hector Turnbull of Wauchop.
Johnne Turnbull of Mynto.
Johnne Mow of that Ilk.
James M°Dowell of M°Carstoun.
Andro Ker of Litildene knycht.
Walter Scott of Howpaslott knycht.
Walter Cheisholme of that Ilk.
James Gledstanis of Coklaw.
Williame Scott of Eidschaw.
Henry Haliburtoun of Mertoun.
Johnne Rutherfurde younger of Hunthill.
Gilbert Ker of Prumsideloch.
William Douglas of Cavers.
Thomas Ker of Mersingtoun.
Andro Ker of Lintoun.
Richart Rutherfurd Provest of Jedburgh.
Williame Alesoun Ballie.
Mr. Johnne Rutherfurde.
Johnne Grymislaw.
James Cokburne of Langtoun.
Alexander Cokburne of that Ilk.
Johnne Sevintoun of that Ilk.
David Edingtoun of that Ilk.
Matthew Sinclair of Langfurmacus.

Patrik Hume younger of Polwort.
Williame Ridpeth younger of that Ilk.
Alexander Haitlie of Lambden.
Williame Ridpeth of Greinlaw.
Gilbert Lauder of Quhitslaid.
Niniane Spottiswod of that Ilk.
Adam Burnfeild of Hardakeris.
Johnne Rentoun of Billie.
Patrik Sleich of Cumleiche.
Robert Diksoun of Buchtrig.
Robert Dikson son to the Gudeman of Belchester.
Robert Diksoun of Hassintoun Manys.
James Burnfeld sone to Andro of Pittillisheid.
William Burnfeld tutor of Greinlawdene
Thomas Haitlie in Sneip.
George Hoppringle in Blindley.
Andro Haliburtoun of Murehouslaw.
William Ker of the Yair.
Thomas Ker of Dalcoif.
David Ellem sone to the Lard of Butterden.
Andro Hoppringle of Gallowshelis.
Williame Hoppringill of Torwodley.
James Hoppringle of Quhitbank.

[Apud Jedburgh, xii mensis Februarii, anno Domini j^{m}v^{c}lxxi^{o}.

Bands of Teviotdaill men.

Williame Lord Ruthven, Thesaurer and Lieutenent, is entered as plege for certain persons of the name of Hall in Newbigging, in Buss, and in the Birkis, that they shall assist the Warden and inhabitants of Jedburgh against Sir Thomas Ker of Pharnyhirst, and that they shall serve such as may be placed by the Lord Lieutenent in the house of Farnyhirst; William Alie, burgess of Jedburgh, becomes surety for the pleges entry in Leith. To the same effect—

Andro Hall of the Sykis as plege for himself, Sir Thomas Turnbull of Bedroull being his surety.

Niniane Robsoun plege for his father and two sons, Andro Commendator of Jedburgh being his surety.

Johnne Robsoun in Hownumgrange becomes surety for Rauf Robsoun in Oxnemrau and Ade Robsoun in Kirkstill.

Adam Anyslie in Thikside plege for himself, Sir James Anislie cautioner.

Will Oliver in Lustruther plege for certain Olivers in Dykeraw, in Fawside, in the Wester Houssis, in the Burne, in the Slakkis, in Mervlinslaw, and in the Bank, and also for Stephen Wauch in the Waldoishill, Jok Commoun in the Fawside, Michaelly and Johnne Young in Rowchleis, and Nicholl Lie in Quarterwod,—William Dowglas of Bonjedburgh and Richard Rutherfurde Provest of Jedburgh being cautioners for the entry of the said plege in Leyth.

Johnne Rutherfurde younger of Hunthill surety for the tenants of the barony of Oxnem, and also for the tenants of Correcshowch, Howdene, and Pharnyhirst mill.

Richard Rutherfurde Provest of Jedburgh surety for Hob Young in the Watterside.

Jedburgh, 13 February 1571.

David Olypheir in Quhiteside plege for himself his son and brother, Johnne Rutherfurde of Hunthill being surety.

Rauf Robsoun plege for himself and his two sons, Sir Thomas Trumble of Bedrowle and John Robsoun in Houn over Grange sureties.

Jedburgh, 15 and 16 February.

Acts of Suretyship for Borderers recorded.]

Apud Leith, decimo nono die mensis Februarii, anno Domini j^{m}v^{c}lxxi^{o}.

The quhilk day the inhabitantis of Hawick comperand before my Lord Regentis Grace and Lordis of Previe Counsale, thir four persons, viz., Robert Scott, Allane Denys, George Maxwell, and Jok Scott callit Philpis Jok, wer ordanit to remane in Leyth quhill ordour wer takin with thame, and Williame Ker of Cavertoun become souirtie for thame to that effect under the pane of .

[Leith, 20 and 21 February 1571.

Other sureties required for remaining in Leith.][1]

Apud Leith, xxii^{o} mensis Februarii, anno Domini j^{m}v^{c}lxxi^{o}.

Sederunt—

Joannes Comes de Mar Regens.
Jacobus Comes de Mortoun Cancellarius.
Gilbertus Comes de Cassillis.
Joannes Comes de Montrois.
Robertus Comes de Buchane.
Willielmus Dominus Ruthven Thesaurarius.
Allanus Dominus Cathcart,
Robertus Commendatarius de Dunfermling Secretarius.

The quhilk day, the personis underwrittin comperand personalie in presence of my Lord Regentis Grace and Lordes of Secrete Counsale, enterit thameselffis as plegies for thame selffis and utheris personis particularlie efer specifeit, for quhome thay ar presentlie content, and takis on hand toan swer for upoun observatioun of the conditionis following,—that is to say that thay and every ane of thame sall acknawlege as thay do presentlie the Kingis Majestie thair only Soverane, that thay sall serve and obey his Hienes, his Regent and auctoritie as becumis dewtyfull subjectis, and sall releif his Hienes and his Wardane present and to cum at the handes of the Wardanis of England according to the lawes of the

[1] Where the business before the Council is matter of uniform routine, such as the recording of cautionaries or suretyships, and also where the matter is not so important or interesting as to demand that the names of all the parties should appear in the text, the names of the parties, unless they are those of very eminent persons, are henceforth generally omitted from the text, and transferred to a special index, an account of which will be found in the Editor's Introduction.

Marches; and siclike that thay sall not resset supplie nor intercommoun with Thomas Ker sumtyme of Pharnyhirst knicht, Thomas Ker sumtyme of Caveris, James Ormistoun sumtyme of that Ilk, or ony utheris declarit traitouris and notorious rebellis aganis oure said Soverane Lord and his auctoritie, but sall ryse, assist and serve his Hienes, his said Regent, lieutennentis, Wardane, or utheris haveand his Hienes auctoritie in the furthsetting thairof aganis all withstanderis of the samyn. The quhilk to do the personis underwrittin comperand, takand the burding upoun thame for thame selffis and utheris, that thai have promeissit for as said is, hes faithfullie bund obleist and sworne thame selfis, as thai will answer to God, and under the pane of perjurie, defamatioun, and tinsall of perpetuall estimatioun and credit; and in caise they do in the contrair, to be comptit faithles, mainsworn, and defamit, for ever; and sall never have place to stand in judegement or to beir office and witness, bot be haldin as tratouris and infidelis perpetuallie; and als, the saidis personis hes fund souirteis as is underwrittin for thair entre agane befoir my Lord Regentis Grace and Lordis of Secrete Counsall, quhen thay or thair souirteis sall be chargeit and requyrit upon fyftene dayis warning, under the panis particularlie efter specifiit.

Maid faith.

The quhilk day, Sir Thomas Turnbull of Bedroull knicht, Johnne Rutherfurde youngar of Hunthill, Johnne Turnbill of Mynto, and Richard Rutherfurde of Edyarstoun, become souirteis conjunctlie and severalie for Williame Oliver in Listruther, George Oliver in Chesteris, David Oliver in Quhitside, and Niniane Landlo in the Bank, for thair entre according to the Act abonewrittin, ilkane of the saidis personis under the pane of v^{c} merkis and ad relevandum.

[27th February—farther sureties.[1]]

Apud Leith, xxv die mensis Februarii, anno, etc. lxxi.

Joannes Dominus Regens.
Jacobus Comes de Mortoun Cancellarius.
Patricius Dominus Lindesay.
Robertus Dominus Boyd.
Allanus Dominus Cathcart.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Act for casting doun of the houssis of the withhaldaris of Edinburgh.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be the Provest, Baillies, Counsale, Deaconis of Craftis and utheris inhabitantis of the burgh of Edinburgh, our Soverane Lordis obedient and trew subjectis, now be tyranne expellit frome thair awin dwelling houssis within the said burgh, and attending heir at Leyth upoun his Hienes service—makand mentioun;—that quhair thair trew and faythfull service is not unknawin to my Lord Regentis Grace and Counsale

[1] The names omitted will be found in the list of names excluded by abridgment, as per p. 119, note.

foirsaid, and quhat malice is borne aganis thame, and dispyte, outrage and crueltie schawin upoun thair personis and gudis quhairevir the samyn ar apprehendit in the power and mercy of his Hienes rebellis; bot in farder declaratioun of thair indurit and disperat evill will, thay have begun and intendis to proceid to birne, dimolishe, and cast doun the saidis inhabitantis ludgeingis, landis, and tenementis, being within the said burgh, to the ground; eftir that thay have reft, spuilyeit, andmaid pray of all thair insicht movables and plenissing being within the samyn, of determinat mynd, as apperis, to execute thair prevat dispyte and revenge upoun certane of the saidis inhabitantis, knawin best affectit in the Kingis Majesteis querrell and service; and to terrifie uther honest and gude men throw the noveltie of thair monstruous and disperat doingis, to provoke thame thairby to furneis thame sowmes of money, be privat and indirect meanys, to the sustentatioun and furthbearing of thair mischevious querrell and tressonabill attemptattis, tending thairby not a lytill to discourage and wrak oure Soverane Lordis gude and obedient subjectis, and to draw the hartis and substance of sympill men to follow and be subject to thame, or at leist to yeild to thame for sauftie of thair landis and gudis, trewlie and with greit panis conquest be thame, gif the mater be not wyselie and tymouslie preventit. For remeid of the quhilk, my Lord Regentis Grace and Lordis of Secreit Counsale, having consideratioun of thir havy skaithis and dampnages sustenit and lyke to be sustenit be the saidis inhabitantis remaning constant and weill affectit in the Kingis Majesteis service, and to the effect that na feir of the losse of gudis or distructioun of houssis and landis sall move honest men to yeild to tyranne, or be prevat or publict consent to supple the tressonabill attemptattis of his Hienes rebellis;—statutis and ordanis.—That na maner of persoun, Burges or inhabitant of the said Burgh, sall pay or procure to be payit of thair awin substance or be mediat personis, ony money of quhatsumevir quantitie, to the declarit tratouris and rebellis now being within the Castell and Toun of Edinburgh, or be ony mediat personis to thair behuif, for sauftie of the houssis and ludgeingis being within the same unbrint and dimolissit, or for quhatsumevir uther caus cullour or pretens, under the pane of tressoun; with certificatioun quha evir dois in the contrair, being lauchfullie callit and convict thairof according to the lawis of this realme, thair gudis and landis being thairby adjugeit to pertene to oure Soverane Lord as escheit, the same escheittis of thair landis and gudis salbe disponit to the personis that hes and sall sustene the skayth, throw the demolissing and distructioun of thair landis and tenementis being within the said burgh. And to the end that thay salbe certane to ressave recompans and satisfactioun of thair saidis skaith, seing the malice and tyranne is extendit and meanyt to be usit bot aganis a few, and that it may appeare that all the remanent tenementis and landis within the said burgh saulffit owther pertenis to ennemeis or at leist the awnaris hes sum owersicht and favour; and that in sic a commoun skaith sustenit for the commoun caus of the Kingis Majesteis obedience, it is equitabill that all men beir a lyke burding.—

Thairfoir statutis and ordanis that all tenementis and landis within the said burgh of Edinburgh and suburbes of the same, quhilk salbe sufferit and permittit to stand be the saidis declarit tratouris and rebellis, quhairof the awnaris owther takis part, assistis or accumpaneis with the saidis declarit tratouris and rebellis, or gevis thame furnissing, favour or intelligence, and ar or salbe thairof convict, thay salbe subject to mak contributioun secundum ratam as thay ar of avale, and payis yeirlie maill, to satisfie the awnaris of the saidis houssis and tenementis quhilkis ar and salbe dimolissit and cassin doun within the said burgh and subjectis of the same, of thair dampnage and skayth, to be modifiit be the Provest, Baillies and Counsale of the said burgh of Edinburgh, howsone soevir the said burgh at Goddis pleasour salbe reduceit to the obedience of our said Soverane Lord, gevand and grantand power to thame to taxt and stent the awnaris of the saidis landis and tenementis according to the yeirlie rent of the same; and for the sowmes taxt, to poind, appryis, and distrenye, quhairthrow the personis dampnageit and interessit throw dimolissing, birning and distructioun of thair houssis may be fully satisfeit and payit of thair skaithis; and my Lord Regentis Grace and Counsale foirsaid promeissis to get this present Act and ordinance ratifiit in the nixt parliament, that it may have the full effect of a law in tyme cuming. And seing the tyranne wrak and desolatioun, intendit be the saidis declarit tratouris and rebellis sall discourage the Kingis gude subjectis gif thair doingis be winkit at, past ower with impunitie, and not semblablie recompensit; thairfoir it is determinat and concludit, that fiftie of the Castellis and houssis sumtyme belanging and now pertening to the saidis declarit tratouris and rebellis and thair fautouris, or quhairunto thay ar to succeid, salbe dimolissit and cassin doun to the ground, and speciall directioun gevin toward the executioun of the same with all possibill diligence. And becaus it is considerit that the rebellioun and publict troubles hes the langar continewance be ressoun of the dalie trafficque, practize, and intelligence betuix Edinburgh and this toun of Leyth, throw the greit resort of suspitious travellaris under cullour of licencis and otherwayis, and throw the marcat sufferit in the Cannogait,—the maist part of the inhabitantis of the said Cannogait and utheris subjectis of Edinburgh being fautouris and prevy furnissaris of the rebellis within the same—thairfoir, yit as of befoir all passing with men, wyffis, or bairnies betuix Edinburgh, the Cannogait, utheris suburbis and Leyth is, be vertew of this present Act, prohibit and utterlie dischargeit, nochtwithstanding ony former licences grantit heirtofoir, the effect quhairof is simpliciter suspendit be thir presentis, and na licencis or tollerationis grantit of befoir to have ony strenth, effect, or privilege eftir the twenty day of Februare instant, at twa houris eftir none, bot all personis contravenand the tennour heirof thaireftir to be usit and demanyt as inymeis and rebellis. It is forder concludit and resolvit that na licencis to be grantit eftir the dait heirof salbe past prevelie, or have fayth and admissioun quhair thay ar schawin without the licence be grantit upoun a supplicatioun presentit in publict Counsale, and subscrivit first be

the Regentis Grace, and thaireftir be the Clerk and alsua be the Dene of Gild of Edinburgh now remaning in Leyth; and alsweill the said Clerk as Dene of Gild to keip a register that the same may be comptrollit as neid beis, and that na marcat be kepit in the Cannogait heireftir, nor na victuallis nor coillis transportit thairto, nor to Edinburgh, under quhatsumevir collour or pretense be day or nycht; certifeing alsweill the maisteris awnaris of the victuallis as caryaris, that the gudis salbe eschetit and thair personis usit as inymeis and tratouris, and that letters be direct for publicatioun heirof, that nane pretend ignorance of the same.

Apud Leyth, xxvii Februarii, anno, etc., lxxiii° [1571 ?].

Caution to be tane of the Lord Elphingstoun.

That cautioun salbe fund be Robert Lord Elphinstoun, that his hous and Castell of Kildrymme salbe randerit and deliverit to oure Soverane Lord, his Regent and authoritie, quhen the said Lord or the cautionaris salbe requirit, upoun xx dayis warning; and in the menetyme that na notorious rebellis, declarit tratouris, or oppin practizeris knawin to the said Lord aganis our said Soverane Lord and his authoritie, salbe ressett in the said hous or Castell, or utheris the said Lordis houssis, nor the same usit ony wayis to the prejudice of his Majesteis service and gude subjectis; and als that Alexander Maister of Elphinstoun, sone and apperand air to the said Lord Elphinstoun, sall compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale betuix the dait heirof and the last day of Marche nix to cum, under the pane of ten thowsand pundis.

Item, a commissioun salbe gevin to Alexander Erskin of Gogar to ressave James Striveling of Keir, Alexander Bruce of Airth, James Cheisholme of Cromlix, cautionaris and souerteis conjunctlie and severalie for fulfilling the conditionis abonewrittin, under the pane abonespecifiit.

Item, my Lord Regentis Grace sall presentlie send sic as he plesis to the places of Elphinstoun and Rossy, and mak inventure of sic gudis and plenissing as ar presentlie within the same; and to inqueir quhat maillis, fermis, proffeittis, and dewiteis of the leving of Elphinstoun, Maister Johnne Elphinstoun persoun of Innernochtie hes intromettit with be command and commissioun of oure Soverane Lord and his said Regent; and gif my Lord Regentis Grace sall allow the said intromissioun in haill or part, the said Lord Elphinstoun sall gif ane sufficient discharge of the saidis males, fermis, proffeittis, and dewiteis, and all uther the said Maister Johnnes intromissioun, sa far as my Lord Regentis Grace sall think gude and allow, in sic sure and ampill forme as the said Lord Regent sall prescrive and appoint, to the suretie alsweill of the said Maister Johnne as of the tenentis that hes payit the saidis maillis, fermis, proffeittis, and dewiteis, quhairthrow thay sall on na wayis be troublit for thair said intromissioun or payment in ony tyme heirefter, and that the cautioun be fund, and the said discharge gevin and deliverit, befoir the houssis of Elphinstoun and Rossy be deliverit agane to the said Lord or his servandis.

Item, quhen Alexander Erskin hes ressavit the souerteis and tane the

inventure, and ressavit the discharge to the said Maister Johnne in maner abonewrittin, than sall the houssis of Elphinstoun and Rossy be deliverit agane to the said Robert Lord Elphinstoun, or his servandis in his name.

Apud Leyth, primo die mensis Marcii, anno Domini j^{m}v^{c}lxxi^{o}.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit the personis underwrittin and acknawlegeit the Kingis Majestie for their onelie Soverane Lord, promising to serve and obey his Regent and authoritie as becumis dewtifull subjectis, that thai sall not ressett, supple, nor intercommoun personalie, nor be letters or messages, with ony declarit tratouris and notorious rebellis aganis his Majestie and his authoritie, bot sall trewlie and unfenyeitlie set furthwart his Hienes service and authoritie, aganis all withstandaris of the same; the quhilk to do and faythfullie performe, thay band and obleist thame selffis and solempnitlie sweir in presens of God upoun thair honour and under the pane of repruif, dishonestie, perjurie, and defamatioun; and als the saidis personis fand the utheris personis underwrittin souerteis for thame, that thay sall entir and compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale quhen thay salbe requirit, on xv dayis warning, and als sall rander thair houssis; the same being chargeit, under the panis particularlie under mentionat:

Caution for Dersy.

Patrik Leirmonth of Dersy comperit and maid fayth, and David Kynneir youngar of that Ilk become suertie, for his entre and randering of his hous as is abonewrittin, under the pane of twa thowsand pund; and the said Patrik obleist him to releif the said David of the premissis and of all pane and dangeare that he sal happin to incur thairthrow.

Caution for Barnbowgall.

Johnne Mowbray of Barnbowgall comperit and maid fayth, and Maister Johnne Logane of Craighous become souertie, for his entre and randering of his hous, as is abonewrittin, under the pane of twa thowsand merkis; and the said Johnne obleist him to releif the said Maister Johnne, etc.

David Fores generall of the cunyehous comperit and maid fayth, and become souertie for his entre, upoun xv dayis warning, under the pane of ane thowsand merkis.

Apud Leyth, tertio die mensis Marcii, anno, etc. lxxi^{o}.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun.
Willelmus Dominus Ruthven.
Allanus Dominus Cathcart.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Clericus Registri.

Cassillis.

My Lord Regentis Grace and Lordis of Secreit Counsale, considering the present variance and contraversy standing betuix Gilbert Erll of Cassillis

Lord Kennedy, and Thomas Kennedy of Bargany, his neir kynnisman, and Bargany.
thair freindis and dependaris, contenit in diverse complayntis presentit to his Grace and Counsale be ayther of the saidis partiis, and utherwayis knawin; and willing to remove and put away all occasioun of farder displeasour, quhairthrow being at unite, concord and gude freindschip, the Kingis Majesteis service mycht the bettir be set furthwart; thairfore his Grace and Counsale foirsaid hes deliberat and thocht expedient that in according of the saidis contraversiis this ordour be observit; that is to say, his Grace, in name and takand the burding upoun him for the said Erll of Cassillis, and the said Thomas Kennedy of Bargany for himself, sall assure—and be the tennour heirof assuris—utheris, thair kin, freindis, servandis, tenentis, assistaris and partakaris, to be unhurt, unharmit, un-molestit invadit or in ony wayis persewit, in the law or by the law, owther for auld feid or new, unto the feist of Whitsonday nixtocum; and that the said Erll, with Thomas Master of Cassillis his broder, and the said Thomas Kennedy of Bargany, with Maister Allan Stewart Commendatare of Corsraguell, sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at Leith, or quhair it sal happin his Grace to be for the tyme, the tent day of Apryle nix to cum, or ony uther day in the Pasche owlk; and than sall the caussis of differencis and contraversiis betuix the said Erll and Thomas be considerit of be hes Grace and Counsale foirsaid, or indifferent freindis to be appointit for hering and aggreing of the same; and in caise the same differencis and contraversiis sall not be appointit be ordour of his Grace and Counsall foirsaid, nor be indifferent freindis at thair meting in the said Pasche owlk, or befoir the mater leif of eftir the hering of the same,—than the said assurance in the law sall ceise in the self, and it salbe lefull to bayth the partiis to persew thair actionis aganis utheris be ordour of law and justice, as gif the said assurance had not bene takin; and notwithstanding the same assurance for desisting fra invasioun, persute, and actionis of deid by the law to stand in full force and effect quhill the feist of Witsonday nix to cum; and farder, it is presentlie thocht meit that the said Gilbert Erll of Cassillis salbe relaxt fra the proces of horne led aganis him for non-putting the said Maister Allane Stewart to libertie quhill the said tent day of Apryle, without prejudice of the said Maister Allan or ony actioun following upoun the said horning; and als that command salbe gevin to Robert Lawsoun, messinger, to ressave the hous of Dunnure out of the handis and keping of the said Thomas Kennedy, upoun inventure of the gudis geir and plenissing, being presentlie thairin; and that the same officiar keip the said hous quhill farder commandiment be gevin thairanent be my Lord Regentis Grace and Counsale foirsaid; providing that nochtwithstanding the present assurance, it salbe lefull to ayther of the saidis partiis to use warningis for removing fra landis and heretabill possessioun; quhairthrow in caise aggrement follow not, as God forbid, nane of the saidis partiis salbe interessit throw slipping of the occasioun and tyme of warning; and gif the said Erll of Cassillis will not aggre and accept the conditionis of this present ordour, and subscrive assurance

according to the forme presentlie deliverit to Hew Kennedy his uncle, than, upoun sufficient knawlege gevin thairof to my Lord Regentis Grace, quhairthrow the said Thomas Kennedy of Bargany may be dewlie and tymouslie adverteist thairof, the conditionis befoir writtin salbe null and of nane avale, and bayth partiis salbe fre to persew utheris be ordour of law as accordis; and als ordanis Hew Kennedy of Balquhany, befoir he depart furth of this toun of Leyth, to find souertie and lawborrowis for the said Erll of Cassillis, under the pane of twa thowsand pundis, and for the said Hew, under the pane of ane thowsand pund, that Maister Allane Stewart Commendatare of Corsraguell salbe harmeles and skaythles of the saidis Erll and Hew and all utheris that thai may let, bot as law will, but fraude or gyle.

Apud Leyth, quinto Marcii, anno, etc., lxxii°.

Sederunt—Domini ut in die predicto.

Bargany. Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsall be Thomas Kennedy of Bargany, makand mentioun—That quhair complaynt being maid be Maister Allane Stewart Commenda-
Cassillis. tare of Corsraguell upoun Gilbert Erll of Cassillis, quha be him self, his servandis and complices, had laid handis upoun the said Maister Allane being oure Soverane Lordis fre liege man, put him in captivitie and presoun within the place and Castell of Dunnure; oure said Soverane Lordis letters wer direct, chargeing the said Erll and his complices to put the said Maister Allane to libertie and fredome within certane space, and for thair dissobedience thay wer denunceit rebellis and put to the horne; and becaus nochtwithstanding the same thay still detenit and held him in captivitie, upoun new complaynt utheris letters wer direct, commanding the Sheref of Air, the Laird of Blairquhan and uther baronis and gentilmen our Soverane Lordis obedient subjectis dwelland within the sherefdome of Air, to pas, concur, fortifie, and assist with utheris, be force and way of deid, and put the said Maister Allane to libertie and fredome furth of the said captivitie and out of the handis that detenit and withheld him; and to that effect to assege houssis quhairin he wes or sould happin to be detenit captive, lyke as at mair lenth is contenit in his Hienes letters directit to that effect. According to the command of the quhilkis letters the said Thomas Kennedy put the said Maister Allan to libertie, and recoverit and gat in his handis the house of Dunnure quhilk oure Soverane Lordis guidsire and Regent for the tyme myndit to have observit and kepit to the behuif of his Hienes and his authoritie, in respect of the manifest contempt and dissobedience of the said Erll of Cassillis; thairfoir gaif, grantit and committit to the said Thomas power and commissioun, to observe and keip the said hous castell and fortalice of Dunnure, to the behuif and use of his Hienes, upoun the first and reddiest of the rentis, maillis, fermis, proffeitis and dewiteis of the said Erll of Cassillis landis, leving and pos-

sessionis; and in the just defence of the said hous and personis being thairin, to use all kynd of weirlyke ingyne and hostilitie, be fyre swerd and utherwayis, lyke as at mair lenth is contenit in the letters direct to that effect; and the said Thomas Kennedy conforme to the command of the samyn, be himself and his servandis in his name, kepit the said hous, castell and fortalice of Dunnure, quhill the moneth of August last bipast, that the said Erll of Cassillis returnit to the obedience of oure said Soverane Lord, at quhilk tyme and ay sensyne the said Thomas Kennedy hes bene willing to rander and deliver agane out of his handis the said hous as unwilling to mak ony unnecessar expenssis thairupoun, as in deid sen the said moneth of August he hes retenit nane of his servandis in the said hous, bot the yettis hes remanit closit. And anent the charge gevin to the said Erll of Cassillis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to answer to this complaynt, and to heir and se ordour takin anent the same as appertenis, as at mair lenth is contenit in the said supplicatioun, executioun, and indorsatioun thairof, my Lord Regentis Grace and Lordis of Secreit Counsale eftir gude deliberatioun in the said mater, having at sindry tymes ressonit thairupoun, declaris that the said Thomas Kennedy in taking and keping of the said hous in ordour and maner as is abone expremit hes done the dewitie of a gude subject, and findis it ressonabill and expedient that the keyis of the said hous salbe ressavit and takin of his hand and inventure maid of the gudis and movables being thairin.

Anysleis of Jedburgh and Birkinsyde ordanit to find cautioun.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsale ordanis Robert Davidsoun of Symestoun, Andro Anyslie and Williame Anyslie burgessis of Jedburgh, and Johnne Anislie of Birkinsyde, to find cautioun and souertie actit in the bukis of Secreit Counsale, that thai sall compeir befoir his Grace and Lordis of Secreit Counsale upoun the tent day nixt eftir thay be chargeit thairto, to answer upoun thair diligence in executioun of the commandiment following, the said Robert Davidsoun, under the pane of ane thowsand merkis, and the saidis Andro, Williame and Johnne Anysleis under the pane of ane uther thowsand merkis; and als ordanis the saidis personis betuix and the tent day of Marche instant, be thame selffis and sic as thay may procure to assist thame, to birne the houssis, cornis and gudis of the personis underwrittin; that is to say, the said Robert Davidsoun, of George Pyle of Mylneheuch, and the saidis Andro Williame and Johnne Anisleis, of Williame Anislie of Fawlaw; and als ordanis the saidis Robert Davidsoun, Andro, Williame and Johnne Anisleis, to tak and apprehend the saidis George Pyle and Williame Anislie, and present thame befoir my Lord Regentis Grace or the Justice gif it stand in thair possibiliteis, and that thay suffer not the landis and stedingis of the saidis George and Williame, to be occupiit be thair wyffis, bairnis or servandis, sa far as thay may lett; and for executioun of the premissis, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, in oure Soverane Lordis name, gevis and grantis full power, com-

missioun and authoritie to the said Robert Davidsoun, Andro, Williame and Johnne Anisleis, to convocat all sic oure Soverane Lordis liegis as will do for thame; and to raise fyre and birn the houssis, cornis, gudis, tak the personis, and mak stop to the occupatioun of the landis and stedingis abonewrittin; for the quhilkis thay nor the personis assisting to thame sall incur na cryme, skayth nor dangeare in thair personis, landis or gudis, nor sall not be callit or accusit for the samyn criminalie nor civilie be ony maner of way in tyme cuming, dischargeand thame simpliciter thairof for evir; and that letters be direct thairupoun in forme as efferis; and in respect of the souertie now fund dischargeis the saidis personis of the souirteis and bandis maid at Jedburgh, and ordanis the same to be deleit, etc.

Apud Leyth, xvii Marcii, anno, etc. lxxi°.

Sederunt—

Jacobus Comes de Mortoun. Robertus Commendatarius de Dunfermling. Clericus Registri.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be James Mathesoun, maister and skippar of the schip callit the Margaret, makand mentioun;—that quhair he having lettin his said schip to fraucht to David Endioch burges of Abirdene, to Bordeous, ressavit thair fourty aucht tunnis wyne, and is laitlie arryvit thairwith in this watter of Forth; and the said James being in this toun, wes commandit be the Lord Admirall to inbring the said schip and wynis in this havin of Leyth; quhilk charge the said James glaidlie acceptit and hes obeyit. Nochttheles the said David as yit being present, on na wayis will ressave fra the said James his saidis wynis and grant the lossing thairof, quhilk alsua consistis not in his power, sen the same schip and wynis ar arreistit be the officiaris of the said Lord Admirall; swa that the said James is alsweill debarrit fra lossing of his schip as fra the use and dispositioun of ane small part of his awin wyne being thairin. Throw occasioun quhairof his said schip is in poynt of scoring and tinsall, lyke as in deid gif ony storme succeidis schö wilbe allutirlie wrakkit with hir ladynning; swa that he nor the awnaris of the same will report na commoditie thairby, to his havy dampnage and skayth. And anent the charge gevin to the said David Endioch to compeir befoir the saidis Lordis of Secreit Counsall this day, to heir and se the desire of the said supplicatioun grantit, or ellis to schaw ane ressounabill caus quhy the samyn sould not be done, with certificatioun and he failyeit, the saidis Lordis wold proceid and tak ordour heiranent as appertenis—lyke as at mair lenth is contenit in the said supplicatioun, executioun and indorsatioun thairof. Bayth the partiis comperand personalie, the said David Endioch allegit him to have bot ane part of the saidis wynis, and that ane uther part of the samyn

appertenit to sindry utheris marchantis of Abirdene, albeit the charter partie was made betuix him and the said James allanerlie, quhairin alsua mentioun is maid that the said James sould transport and inbring the saidis wynis to the port and havin of Abirdene; and thairfoir quhill the samyn wer transportit thair according to the said charter partie he could not consent to the loissing of the said schip heir at Leyth; nayther could he intromet with utheris mennis wynis at thair awin hand, in caise the awnaris thairof wald move actioun aganis him thairfoir. The Lordis of Secreit Counsale understanding that, albeit the saidis wynis wer sauld within this toun, als greit proffeit sall redound thairof to the saidis awnaris as gif the same wer usit and sauld be thame at thair pleasour; and forder, havand consideratioun, that gif the saidis wynis beis transportit to Abirdene according to the said charter partie, that oure Soverane Lordis declarit traitouris rebellis and conspiratouris being thairin, and utheris partis thairabout, salbe furneist thairwith, the samyn toun being presentlie under thraldome and tyranne. And thairfoir decernis and ordanis the same to be loist, and the said David to mell and intromet thairwith, alsweill with his awin part, as with the utheris, his partinaris, absent; and to place and put the same in sum sure sellar or hous, thair to remane upoun the expenssis of the self quhill the same may be sauld be him within the toun of Leyth; and the money and pryces thairof to be furthcumand and deliverit be him to the awnaris of the samyn. And declaris that he sall incur na skayth nor dangeare thairthrow, dischargeing the saidis awnaris of all calling or persewing of the said David for the saidis wynis, and of all actioun quhilk thay or ony of thame may have aganis him thairfoir; reservand alwayis actioun to thame for the pryces thairof allanerlie, as the samyn commounlie is sauld for within the said toun at this present; attour, the saidis Lordis, for certane caussis moving thame, hes decernit and ordanit the said James to diffeis to the awnaris of the saidis wynis the sowme of x ß. money of this realme of the fraucht of every tun of the samyn.

Apud Leyth, penultimo Marcii, anno Domini j^{m}v^{c}lxxii^{o}.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun Cancellarius.
Alexander Comes de Glencarne.
Willelmus Dominus Ruthven.
Dominus Forbes.
Andreas Dominus Uchiltre.
Allanus Dominus Cathcart.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.

The ayth maid be Johnne Archebischop of Sanctandrois.

I, Johnne, now electit Archebischop of Sanctandrois, utterlie testifiis and declaris on my conscience that the Kingis Majestie is the onelie lauchfull

and supreme governour of this realme, alsweill in thingis temporall as in the conservatioun and purgatioun of the religioun; and that na forayne prince, persoun, prelate, state or potentate hes or aucht to have ony jurisdictioun, power, superioritie, preheminence or authoritie, ecclesiasticall or spirituall, within this realme; and thairfoir I utterlie renunce and forsake all forayne jurisdictionis, poweris, superioriteis and authoriteis; and promeissis that frome this furth I sall and will beare fayth and trew allegeance to his Majestie, his airis and lauchfull successouris; and to my power sall assist and defend all jurisdictionis, privilegis, preeminencis and authoriteis grantit and belangand to his Hienes, his airis and lauchfull successouris, or united and annext to his royall croun; and forder, I acknawlege and confess to have and hald the said Archebischoprik and possessionis of the same, under God, onelie of his Majestie and Croun royall of this his realme; and to his Majestie and your Grace, in his Hienes name, for the saidis possessionis, I do my homage, and to his Hienes airis and lauchfull successouris salbe faythfull and trew: sa help me God.

[Leyth, 31 March 1572.

Sureties.

Leyth, 4th April 1572.

Declaration of allegiance, and Sureties.]

The quhilk day, Alexander Bruce of Airth and Thomas Levingstoun of Hanyng ar becum cautionaris and souerteis, conjunctlie and severalie, that the hous and castell of Callendar pertening to Williame Lord Levingstoun salbe randerit and deliverit to oure Soverane Lord, his Regent and authoritie, quhen the saidis cautionaries salbe requirit and chargeit, upoun xv dayis warning; and in the menetyme that na notorious rebellis, declarit tratouris, or oppin practizeris aganis oure Soverane Lord, knawin to the saidis cautionaris, salbe resset in the said castell, nor the same ony wayis usit to the prejudice of oure Soverane Lordis service and gude subjectis, under the pane of ten thowsand pundis; providing that howsone the said Williame Lord Levingstoun returnis in Scotland,—in caise he, within the said space of xv dayis eftir his returning, satisfie not the said Lord Regent and Counsale anent the keping of his said hous, and mak securitie thairupoun,—his saidis cautionaris sall deliver the same hous to the said Lord Regent, or sic as he sall appoint for ressait of the same; and to that effect sall gif tymous and sufficient warning to the said Lord Regent, upoun the said premunitioun of xv dayis; attour, my Lord Regentis Grace declaris that the dwelling in the said hous of Callendar be the Lady Levingstoun and hir ordinar houshald servandis, and thair doing of thair lefull effairis and bissines in the same, sall not be violatioun of the conditionis of this present Act to the saidis cautionaris, nor thay sall not incur ony pane of skaith or dangeare thairthrow in tyme cuming.

Apud Leith, xiiii die mensis Aprilis, anno Domini j^{m}v^{c}lxxii^{o}.

Sederunt—

Joannes Dominus Regens.
Joannes Comes de Mortoun.
Alexander Comes de Glencarne.
Patricius Dominus Lindesay.
Joannes Dominus Glammis.
Robertus Dominus Boyd.
Andreas Dominus Uchiltre.
Willelmus Dominus Forbes.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Robertus Commendatarius de Sancte Marie Ile.
Adam Commendatarius de Cambuskynneth.
Clericus Justiciarie.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsale, understanding that thair is a schip ladin with victuallis laitlie arryvit in this firth befoir Kirkcaldy, pertening to Andro Buk burges of Abirdene, intending to cary the same aythir furth of the realme, nochtwithstanding the discharge and inhibitioun maid in the contrair, or ellis to furneis oure Soverane Lordis declarit tratouris, rebellis, and dissobedient subjectis thairwith. Thairfoir ordanis the Thesaurare, be him self or his clerkis, deputtis, or officiaris of armes, to pas and intromet with the said schip and victuallis being thairin; and to sell and dispone thairupoun for furthsetting of the charge of oure Soverane Lordis service presentlie in hand, as thay will answer on compt thairupoun; for the quhilk this present Act sall serve thame for sufficient warrand.

Forsamekle as my Lord Regentis Grace and Lordis of Secreit Counsale, considering that not onelie ar the troublis the langar, bot the greittar confusioun remanis within this toun of Leyth, quhair His Grace, the Counsale, and College of Justice remanis, becaus of impunitie gevin to offendouris, fautouris and furnissaris of the rebellis and dissobedient subjectis, being within the Castell and toun of Edinburgh; the formar ordinances and proclamationis being neglectit and not put to full executioun. And to the effect that nane sall pretend ignorance, and, in defalt of knawlege of thair dewitie, owther offend in omitting of the same undone or in doing farder nor is allowabill; thairfoir his Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis that the personis following sall remane portaris at the portis of this toun of Leyth, ay and quhill thay be dischargeit; that is to say, Thomas Mow at the Sand port; Andro Lindesay at Sanct Anthonis port and the port in Capitane Aikmannis quarter;

at the port in Capitane Lembyis quarter; at the port on the north syde of the brig; and that thay gif diligent attendance that na maner of victuallis or coillis be sufferit to pas furth of this toun to the furnissing of the rebellis and dissobedient subjectis, nor to na utheris, except onelie that ressonabill portioun quhilk salbe thocht sufficient for the men of weir lyand in the palice of Halyruidhous; and gif the saidis portaris be outher negligent or use fraude or owersicht in the executioun

of this ordinance, thay salbe puneist thairfoir with all rigour in exempill of utheris. And quha evir sal happin to be apprehendit careand ony maner of victuall, breid, drink, flesche, fische, coillis, or uther provisioun, to the said burgh of Edinburgh or suburbis thairof, owther furth of this toun of Leyth or furth of ony uther port of the cuntre; the persoun being apprehendit in the recent deid salbe deliverit in the handis of the Provest Marschell, quha sall cary thame to the maist publict marcat place of this toun of Leyth, and thair birne thame on the cheik with a het irne for the first falt, and thaireftir gif thay be apprehendit offending of new, that thay be incontinent hangit or drownit without dome or proces of law.

Farther, becaus it may happin that sum knawin furnissaris and caryaris of victuale eftir this proclamatioun may be apprehendit althouch without the stuff and not in the recent deid; thairfoir gif the persoun apprehendit confessis the same, or gif his doing may be than presentlie verifiit be the testificatioun of twa or thre famous witnessis that will avow the same in the face of the persoun apprehendit, the same persoun salbe usit and demanit as is abone specifiit be the Provest Marschell, as he will answer at his uttirmest charge and perrell.

And becaus it is na les necessar to have gude ordour and quietnes kepit within this toun, nor it is to have the inymeis persewit and annoyit without; thairfoir that all men of weir attend upoun thair awin service at the charge of thair awin capitanis and commandaris as thay salbe requirit, and that nane of thame tak ony persoun, althoch suspectit to thame, as presonaris within this toun, nor yit intromet with ony gudis or geir brocht within this toun or port, outher be land or sey, without thay have speciall and expres command of my Lord Regentis Grace or the Lieutenent for the tyme, dischargeing thame all utherwayis as thai will answer at thair uttirmest charge and perrell; and siclyke that na men of weir nor utheris tak upoun thame the saulfgaird and protectioun of ony knawin inymeis, or convoy or caus be convoyit to thame or in thair favour ony gudis, victuallis or uther stuff for thair confort and furnissing, under the same pane.

And in likemaner that nane of oure Soverane Lordis liegis now remaning within this toun of Leyth nor to landwart, presume to gif, send, or deliver, to the rebellis and dissobedient subjectis being in Edinburgh, or to ony utheris in thair names, directlie or indirectlie, under quhatsumevir cullour or pretense, to thair use and behuif, ony maner of victuallis, money, clayth, or quhatsoevir ellis tending to thair ease and commoditie, under the pane that quhasaevir salbe fund or tryit doand in the contrair eftir the publicatioun heirof, salbe usit and demanit as is abone writtin be birning on the cheik, executing to the deith, or uther sic pane as it sall pleis my Lord Regentis Grace and Counsale upoun consideratioun of the offence to appoint.

And mairower, becaus thair is a greit nowmer of rascall people drawin togidder within this toun, leaving upoun unlauchfull meanys, as in heirschip and spuilye of passingeris and utheris, under the cullour of the men of

weare, as thoch thay wer the authouris of sic unhonest deidis ; thairfoir, that nane presume nor tak upoun hand to remane and abyde in this toun, or to follow and pas to the feildis with the men of weare—not being men bearing armour and reddy at all occasionis to serve and mak defence—except thay have of thair awin, or sum honest and lauchfull schift quhairupoun to leif, or be cled with a maister that will avow thame,—under the pane of deid ; certifeing thame that beis fund nowther in wageis nor having sum lauchfull and honest meyn how to leif (except thay be impotent and seiklie), thay salbe first brint on the cheik at thair first apprehensioun, and gif thay be apprehendit thaireftir hangit ; and that all honest men, alsweill inhabitantis of Edinburgh and Leyth as the men of weir, apprehend the personis that salbe fund doand in the contrair heirof, and present thame to the Provest Marschell, that thay may be puneist as accordis.

And in likemaner to command and charge all and sindry the maisteris and awnaris of quhatsumevir schippis, crayaris, and boittis, that sal happin to arryve in this Firth of Forth, laidin with quhatsumevir victuallis owther brocht furth of the north cuntre or foreyn realmis, that thay cum directlie with the same to the havin and port of Leyth, and na wyis loise the same at ony uther port or hevin be west this toun up the Firth, without speciall and expres licence had and obtenit of my Lord Regentis Grace to that effect, under the pane of confiscatioun of the gudis and victuallis, and hanging of the personis being thairin, quhilk salbe fund doand in the contrair heirof ; and that letters be direct for publicatioun heirof or ony part of the samyn, in forme as effeirs.

[Leyth, 1 and 2 May 1572.

Sureties.]

Apud Leyth, quinto die mensis Maii, anno Domini j^{m}v^{c}lxxii^{o}.

Sederunt—

Joannes Dominus Regens.	Georgius Commendatarius de Abirbrothok.
Jacobus Comes de Mortoun.	
Joannes Dominus Glammis.	Robertus Commendatarius de Dunfermline.
Robertus Dominus Boyd.	
Allanus Dominus Cathcart.	Clericus Registri.

[Sureties and declarations of allegiance to the King.

Leith, 6 May 1572.

Sederunt—Domini ut in die predicto.

Sureties and declarations of allegiance.]

Anent oure Soverane Lordis letters under his Hienes signet and my Lord Regentis Grace subscriptioun, makand mention.—Forsamekill as thair is

actioun of deidlie feid standing betuix diverse nobill men, baronis and utheris inhabitantis of the west partis of this realme, to the greit hurt and inquietatioun of the cuntre and hinderance of oure Soverane Lordis service; and amangis utheris betuix Robert Lord Boyd and Johnne Mure of Rowallane, thair freindis and partakaris; bayth partiis wer of befoir commandit to gif and tak assurance quhill the ground and occasioun of the contraversiis mycht be considerit and takin away be freindlie mediatioun and laubouris, quhilk at that tyme tuke na effect, in respect of the formair assurance betuix the saidis partiis allegit brokin and violat, quhill the samyn mycht be tryit. And anent the charge gevin be vertew of oure Soverane Lordis letters foirsaidis to bayth the saidis partiis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to heir and se the breking and allegit violatioun of the said assurance tryit, and to underly sic ordour and directioun as my Lord Regentis Grace and Counsale sall gif thairanent; and siclyke commanding Constantyne Walkinschaw havar of the writing quhairin the said allegit assurance is contenit in his handis, to produce the same befoir my Lord Regentis Grace and Counsale for furtherance of the said tryell, lyke as at mair lenth is contenit in the saidis letters. All the saidis partiis comperand personalie, thair ressonis and allegationis hard and considerit, togidder with the effect and wordis of the said assurance being maid be Robert Colvile, sone of umquhile Robert Colvile;—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, findis and declaris that the said Robert Lord Boyd nowther gaif the said assurance, nor yit hes ony wayis violat or brokin the samyn; nowther is it to be imput to the said Johnne Mure of Rowallane for offence or injurie, that heirtofoir he hes spokin or allegit the said assurance to be brokin, considering that he past his assurance and deliverit the samyn to the said Constantine Walkinschaw without conditioun, thinkand to have ressavit the lyke; and that nochtwithstanding the said Constantine appointit mediat persoun to travell for the said assurance acceptit of the said Robert Colvile; the said assurance presentlie produceit, contenand sic exceptionis as thairby the said Lord Boyd could na wayis be burdynnit with the violatioun of the same, nor yit come the same in sic forme to the knawlege of the said Johnne Mure, as wes cleirlie understand to my Lord Regentis Grace and Counsale foirsaid.

[Leyth, 8 May 1572.

Hew Lord Somervile, and James Cokburne of Scraling, having failed to appear to answer to such things as should have been inquired, although charged under the pain of rebellion, it is ordained that they be put to the horn.]

Apud Leyth, nono Maii, anno, etc. lxxii°.

Forsamekill as Allan Lord Cathcart on the ane part, and Johnne Schaw of Haly on the uther part, hes submittit the decisioun of all variance and contraversy depending betuix thame to Robert Lord Boyd, Hew Wallace of Carnell, and Robert Campbell of Kinyeancleuch; and for that effect hes subscrivit ane blank, and deliverit the samyn in the handis of the said Robert Lord Boyd; quhairfoir in the menetyme bayth the foirsaidis partiis,—takand the burding upoun thame for thair kin, freindis, men, tenentis, servandis, assistaris, and partakaris, that thay may lett,—hes assurit, in presens of my Lord Regentis Grace and Counsale, and be the tennour heirof specialie assuris ilkane utheris, to be unhurt, un-harmit molestit troublit, or in ony wayis persewit, be utheris in the law or by the law, in bodiis or gudis, in tyme cuming, for quhatsumevir caus or occasioun bigane, preceding the dait heirof, unto the first day of August nix to cum; swa that ayther of thame may repair to and fra the foirsaidis personis for decisioun of the saidis contraversiis in quhatsumevir part of the realme, peciabillie, without convocatioun or gadderingis on ayther syde; and for observing, keping, and fulfilling of all and sindry the premissis, bayth the saidis partiis hes bund and obleist thame selffis, under the pane of perjurie, infamy, and tinsall of perpetuall credit honour and estimatioun in tyme cuming. And attour, Thomas Kennedy of Bargany is becum cautionar and souertie for the said Allan Lord Cathcart, and Charles Campbell of Skeldoun and Johnne Schaw of Grymmet is becum cautionaris and souerteis conjunctlie and severalie for the said Johnne Schaw of Haly, for observing of the premissis; ayther of thame under the pane of twa thowsand pundis; and bayth the saidis partiis obleist thame to releif thair saidis souerteis of the premisses.

Apud Leyth, xii Maii, anno, etc. lxxii°.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun.
Archibaldus Comes Ergadie.
Dominus Oliphant.
Robertus Dominus Boyd.
Allanus Dominus Cathcart.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Forsamekill as oure Soverane Lord, my Lord Regentis Grace, and the Estaittis laitlie convenit in Parliament, hes statute and ordanit ane new cunye of silver money to be set out, for payment and sustentatioun of the chargeis of this present civile and intestine weare, rasit aganis his Hienes and his authoritie be certane declarit tratouris, rebellis, and consperatouris, quhilkis eftir the murtheris of the King his Majesteis dearest fader, and of

his guidsire and uncle Regentis of this realme, ceissis not alsua be plane resisting of his Hienes authoritie, to seik his awin lyff, and sa far as in thame lyis to pull his royal Croun of his heid. Quhilk money is divisit and strekin in haill and half pecis; the haill pece to have cours and passage for sex schillingis aucht penneis and to be callit the half merk pece, and the half thairof to have cours and passage for thre schillingis four pennyis and to be callit the fourty penny pece; the said haill pece havand on the ane syde oure Soverane Lordis armes and croun betuix the figuris of 6 and 8 with this circumscriptioun: Jacobus Sextus Dei gratia rex Scotorum; and on the uther syde ane croce and betuix the granis thairof twa thirssillis and twa crownis with this circumscriptioun: Salvum fac populum tuum Domine 1572.; the fourty penny pece berand the lyke prent in all thingis, saulffing his Hienes armes placeit betuix the figuris of 3 and 4 to signifie iii ß. iiii đ., as the other on the haill signifiis vi ß. viii đ. Quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis letters to be direct to mak publicatioun heirof at the Schoir and Peir of Leyth and at the marcat croces of all heid burrowis of this realme and utheris places neidfull; and to command and charge all and sundry oure Soverane Lordis liegis to ressave the said money in thankfull and reddy payment, and on na wayis to presume or tak upoun hand to refuis the same upoun quhatsumevir collour or pretens, under the pane of tressoun; certifeing thame that failyeis, thay salbe demanit to the deid with all rigour in exempill of utheris.

[Mr. James Thorntoun, Chantor of Murray, not appearing, his absence being excused by Alexander Bonar, to be denounced rebel if he fail to appear before 12th June next.]

Apud Leyth, xiii Maii, anno, etc. lxxii°.

[Act of Caution.]

Forsamekle as eftir the lang troubles and rebellioun continewit within this realme be certane unnaturall and dissobedient subjectis, at last it hes plesit the Princes nixt adjacent, specialie the maist Christin King of France and the Quenis Majestie of England respecting the estait and caus of the King oure Soverane Lord and the lang civile troubles within this realme, to send thair ambassadouris and commissionaris authorized and instructit in this realme, to travell for ane inward full and perfyte pacificatioun of the saidis troubles, and to procure ane universall obedience of all degreis of subjectis within this realme to his Hienes authoritie; quhilk actioun and occasioun as it is godlie, honorabill, and meit to be embracit sa far as the same sall tend to Goddis glory, the Kingis obedience, and commoun weill and quietnes of the realme; sa it is convenient that all thingis quhilkis may let and disturb sa gude a purpois be tymouslie preventit, removit, and put away. And seing thair can be na greittar hinder to the proceding of

honorabill personis bering commissioun and authoritie of michtie Princes, nor to se thair actionis depravit, thame selffis and thair doingis columpniat and evill spokin of be the commoun and rascall sort of people, and sum utheris, quha not being prevy to the ground and trewth of thingis, and werying pacientlie to abyde quhill greit and wechtie materis may be brocht to conclusion be gude advise and deliberatioun, ceissis not be word, deid, and countenance, to tak offence and liberallie to speik of the procedingis and dealingis of forayn ambassadouris and messingeris, tending to the heich and manifest contempt of oure Soverane and his authoritie. For remeid quhairof, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis ane Herauld, Maser, or uther officiar of armes, to pas to the Peir and Schoir of Leyth and all utheris places neidfull, and thair be oppin proclamatioun in his Hienes name and authoritie, command and charge all and sindry our Soverane Lordis liegis specialie within and about this toun of Leyth, that nane of thame tak upoun hand to speik irreverentlie, untrewlie, or injuriouslie, of the ambassadouris of France and Ingland presentlie reparing in this cuntre for the effect abonewrittin; or yit offer to thame or thair servandis displeasour, harm, or evill will, in word deid or countenance, bot rather schaw thame all favour, humanitie, and gude interteynment, as thay will answer upoun thair obedience and allegeance at thair uttirmest charge and perrell, certifeing thame that dois in the contrair being lauchfullie convict thairof, thay salbe reallie puneist in exempill of utheris.

Apud Leyth, xvi Maii, anno, etc. lxxii°.

Sederunt—Domini ut in die predicto.

Anent oure Soverane Lordis letters purchest be the Provest, Baillies, and communitie, of the Burgh of Annand, makand mention;—that quhair Cristie Irwing, allegeing him to have, be gift of oure Soverane Lord, certane landis liand within the fredome of the burgh of Annand, quhairof thay and thair predicessouris hes bene in possessioun continewalie sen the first foundatioun of the said Burgh, molestis and troublis thame in the peciabill brouking and pasturing of thair gudis thairupoun, and utherwayis using the same as ane part of thair fredome and commontie, and that be way of deid houndand out brokin men upoun thame, boistand and mannassand to birne and distroy thair said toun. And anent the charge gevin to the said Cristie, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale upon the xv day of Maii instant, to answer to the said complaint, and to bring with him his letters of gift, gif he ony hes, quhairby he clamis the saidis landis or ony part thairof, lyke as at mair lenth is contenit in the saidis letters. The saidis Provest, Baillies, Communitie, and inhabitantis, persewaris, being oftymes callit and not comperand, and the said Cristie Irwing, defender, comperand personalie, protestit that in respect of the non-comperance of the persewaris he sould not be haldin to

answer quhill he wes chargeit or summondit of new, and his expenssis payit at the modificatioun of my Lord Regentis Grace and Lordis of Secreit Counsale; quhilk protestatioun his Grace and Lordis foirsaidis admittit.

Apud Leyth, xxiii Maii, anno, etc. lxxii°.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsale, perfytelie understanding that Robert Scott writtar hes remanit in Edinburgh this haill yeir bigane, with the mair, at the speciall command and desyre of Maister James Makgill of Rankelour Nethir, Clerk of Register, his maister, for preservatioun and keping of the Register Bukis of Sessioun and Counsale, proces, evidentis, and utheris letters committit to his charge, quhairby the said Lord Regentis Grace and Lordis foirsaidis acknawlegeis that he hes done acceptabill service to thame, the haill nobilitie and lieges of this realme; and thairfoir allowis his formar byding within the said burgh lyke as thay yit will, and ordanis him to remane within the samyn unto the end of thir troubles to the effect foirsaid; and willis and grantis that he, his wyff, bairnis, servandis, and familie, sall incur na skayth nor dangeare thairthrow in thair personis, landis, gudis, houssis, or geir ony maner of way in tyme cuming, and sall not be callit nor accusit thairfoir, nochtwithstanding ony lawis, actis, or statutis maid or to be maid in the contrair; anent the quhilkis, and panis contenit thairintill, we dispens with him be thir presentis, and dischargeis all jugeis and ministeris of lawis, and all utheris our Soverane Lordis liegis, of all calling, accusing of him, poinding or intrometting with him, his gudis or landis thairfoir, and of thair offices in that part.

[Wauchop of Niddrymerschell obliges him that no corns ground in the mill of Niddrymerschell shall be supplied to the enemy in Edinburgh.]

Apud Leyth, xxvi Maii, anno, etc. lxxii°.

Sederunt—

Joannes Dominus Regens.
Alexander Comes de Suthirland.
David Comes de Craufurd.
Willelmus Dominus Ruthven.
Patricius Dominus Lindesay.
Robertus Dominus Boyd.
Allanus Dominus Cathcart.
Episcopus Orchadensis.
Commendatarius Dunfermling.
Alexander Commendatarius de Culross.

[Henry Lovell of Ballumby and Archibald Hammiltoun, Captain of Arrane, failing to appear, denounced rebels.

Leyth, 27 May 1572.

Henry Mowett in Leyth surety for George Mernis, servitor of George Earl of Caithnes, that he shall not levy men of war without licence.

Leyth, 3 June 1572.

My Lords supersede the compearance before them till 20th inst. of Patrik Bellenden of Stanehous, and ordain the wand of peace to be given to him till that day.

Leyth, 4th June 1572.

Johnne Mowbray of Barnbowgall is released from his ward in the burgh of Air, in order that he may appear before my Lords, and submit for himself and his eldest son Robert to the King's authority; if he fail in the premisses, William Lawder of Haltoun and Mr. Johnne Logane of Craighous become sureties for his entry again in ward in Air; and James Mowbray, brother of the said Johnne Mowbray, obliges him to relieve the cautioners.]

Apud Leyth, quinto die mensis Junii, anno, etc. lxxii°.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Alexander Hay, writtar, and exponit and declarit how he had servit as depute to the secretaris for the tyme in the office of Scrybe and Clerk to the Prevy Counsale, sen the first day of Marche in the yeir of God j^{m}v^{c} thre scoir thre yeris; in quhilk state of service he wes willing to continew being na farder burdynnit, bot being owerchargeit throw his employing in sum uther effairis concerning the office of Secretary, as in the writting of missives and other writtis, alsweill concerning the affairis within this realme as forayn materis, it being fund gude that he sall discharge himself of a part of the service. Thairfoir the said Alexander, in presens of my Lord Regentis Grace and Lordis foirsaidis, with thair benevolence, dimittit, gaif up, and dischargeit himself of the said office of depute and scrybe to the Prevy Counsale, and of all feis and dewiteis that he may clame be vertew thairof eftir the first day of Junii instant. And my Lord Regentis Grace and Lordis foirsaidis declaris that he hes honestlie and sufficientlie dischargeit his dewitie in tyme bipast in the said office, and dischargis him simpliciter thairof be thir presentis; ordinand my Lord Secretare to provyde and place ane uther in the said office for using and exerceing of the same in tyme cuming; and als ordanis the said Alexander to deliver all his Counsall bukis and scrollis concerning the Counsall to my Lord Secretar, or ony that he appoyntis to accept the office, and to tak thair tikket upoun the recept thairof.

The quhilk day Johnne Andro writtar wes presentit and nominat, be my Lord Commendatar of Dunfermling Secretar principall to oure Soverane Lord, to serve as depute to my said Lord Secretare in the office of Scribe and Clerk to the Privie Counsall, now vacand be dimissioun of Alexander Hay, last possessour of that charge; quhairfore the said Johnne gaif his aith for dew and lauchfull service in the said office in tyme cuming; and my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall,

ordanis the said Johnne to attend and serve as Principall Depute to my said Lord Secretar in the said office of Scribe and Clerk to the Privie Counsall in tyme cuming, and to subscribe all actis and utheris autenticque writtis in like ordoure and forme as the said Alexander had wont to do of befoir.

Apud Leith, sexto Junii, anno, etc. lxxii°.

Sederunt—

Jacobus Dominus Regens.
Jacobus Comes de Mortoun Cancellarius.
Robertus Comes de Buchane.
Robertus Dominus Boyd.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Justiciarie.

Forsamekle as efter the havy and lang trouble quhairwith this realme hes bene inquietit, throw the defectioun of the keper of the Castell of Edinburgh fra oure Soverane Lordis obedience aganis his faith and allegeance, and taking and fortefeing of the Burgh of Edinburgh under traist and in the tyme of abstinence agreit unto be ordour and advise of the Quene of England; the authouris of all thir tressonable, mischevus and barbarus crewelteis, finding thair uther pretenssis to tak na gude successe, hes of lait interprysit, not only to make reiffis of gudis about the citie of Glasgow and in the cuntrie of the Levinax, bot als hes on thair pretendit maner set out proclamationis commanding divers oure Soverane Lordis liegis to compeir and underly thair law at Hammiltoun, the xxi day of Junii instant, for certane forgeit caussis and crymes allegeit committit aganis thame, being oure Soverane Lordis declarit tratouris rebellis and inimeis; thinking be thair inordinat proceidingis, tirrant and tressonable attemptattis, to amplefie thair usurpit power upoun his Hienes gude subjectis, to the grit hurt and prejudice of his Majestie and his auctoritie gif remeid beis not providit; thairfore my Lord Regentis Grace, with avise of the Lordis of Secrete Counsall, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of the Burrowis and townis of Wigtoun, Air, Irwing, Renfrew, Dumbartane, Glasgow, Linlithgow, Striveling, Clakmannane, and place of proclamatioun within the stewartrie of Menteith, and utheris partis neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindrie oure Soverane Lordis liegis and subjectis, alsweill duelland to burgh as land, within regalitie as rialtie, betuix sextie and sextene yeris, and utheris fensible personnis duelland within the boundis of the sherefdomes of Wigtoun, Air, Renfrew, Dumbartane, Linlithgow, Striveling, Clakmannane, stewartrie of Menteith and baillieries of Kyle, Carrik and Cuninghame, that thai and ilk ane of thame weill bodin in feir of weir with xv dayis victuallis and provisioun eftir thair cuming, address thame to convene and meitt my Lord Regentis Grace, at Glasgow, the xxvi

day of Junii instant, and thairfra to pas furthwart and await upoun his Grace or his Majesties Lieutenent as thai salbe commandit, for resisting of the tressonable attemptattis of the saidis declarit tratouris and rebellis, or persute of thame as occasioun salbe offerit, and sa to remane and continew during the said space of xv dayis, under the pane of tinsall of lyff, landis and guidis.

[Proclamation to the same effect ordered to be made at the market crosses of Dunse, Lawder, Jedburgh, Selkirk, Peblis, Lanerk, Drumfreis, Kirkcudbricht, and other places needful, charging all the liegis between sixty and sixteen years dwelling within the shires of Berwick, Roxburgh, Selkirk, Peiblis, Lanerk, Drumfreis and Air, Bailliery of Lauderdall, and Stewartries of Kirkcudbricht and Ananderdall, to meet James Earl of Mortoun, Chancellor, Admiral and Lieutenent, at Carnwath on 26th June.]

Apud Leith, xiii° Junii, anno, etc. lxxii°.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun.
Hugo Comes de Eglintoun.
Robertus Comes de Buchane.
Robertus Dominus Boyd.
Robertus Dominus Sympill.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Registri.

Anent our Soverane Lordis letters raisit at the instance of James Lovell burges and custumar of the burgh of Dunde, makand mentioun;—that quhair Mr. Johnne Moncur, in the moneth of Junii last bipast, departit furth of the watter of Tay with ane schip ladynnit with quhite fische to the partes of England, without ony pament of ony custum thairfore, he being marchand and awnar of the said schip, and being admoneist be the said James Lovell, Custumar to our Soverane Lord in thai partis, that he sould not depart without pament of custum or schawing to him of ane coquet, quhairupoun promeise maid failyeit and departit; and siclike in the moneth of Aprile last wes departit furth of the said watter with ane schip ladynnit with quhite fische and victuall sic as beir, being likewyise merchand and awnar, without custum or schawing of cocquet, being siclike desyrit thairto be the said James, expres aganis the lawis of this realme and to the evill exempill of utheris to do the lyke gif this be sufferit to remane unpuneist. And anent the charge gevin to the said Mr. Johnne Moncur to compeir befoir my Lord Regentis Grace and Lordis of Secrete Counsall at ane certane day bipast, to have answerit to the complaint abonewrittin, under the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failyeit, letters suld be direct to put him to the horne, and to eschete and inbring all his movable guidis to oure Soverane Lordes use for his contemptioun, as the saidis letters, executioun, and indorsatioun thairof, at mair lenth proportis. The said James Lovell comperand personalie and the said Maister Johnne Moncur oftymes being

callit and not comperand, my Lord Regentis Grace, with avise of the Lordis of Secrete Counsall, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and denunce the said Mr. Johnne oure Soverane Lordis rebell and put him to the horne, and to eschete and inbring all his movable guidis to his Majesties use for his contemptioun, efter the forme and tennour of the saidis letters.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secrete Counsall be Johnne Maister of Forbes aganis Mr. James Harvy, makand mentioun ;—that quhair it is not unknawin to my Lord Regentis Grace and Lordis foirsaidis, how that the said Johnne hes, be gift of our Soverane Lord under the Previe Seill, all and haill the teind fructis and emolumentis of the paroche kirkis of Fintray, Monkegy, Enrowry, Logydorno, Prynma, Leslie, Culsamond, Inche, Christie Kirk, and Trewle Kirk liand in Gareoch, pertening to the abbacie of Lundoris, quhilkis pertenit to Johnne Leslie last abbot thairof, and throw forfaltour led aganis him for certane crymes of tressoun and lesemajestie committit be him—quhairof he wes convict in Parliament—become in our Soverane Lordis handis and at his Hienes dispositioun. Nevirtheles sen the obtening of the gift of the samyn be the said Johnne Maister Forbes, quhilk wes in the moneth of the yeir of God $j^{m}v^{c}$ yeris, Maister Johnne Harvy factour of the saidis kirkis, at command of the said sumtyme Abbot, hes upliftit and intromettit with the haill teindis, fructis, and rentis, pertening to the samyn kirkis, gevin and disponit to the said Johne Maister of Forbes in pensioun as said is, extending to the space of yeris like as he presentlie intromettis thairwith, and hes maid na pament to the said Johne thairof sen the dait of the said gift, nor yit will mak him pament of the samyn in tyme cuming without he be compellit. And anent the charge gevin to the said Mr. James Harvy to compeir befoir my Lord Regentis Grace and Lordis of Secrete Counsall at ane certane day bipast, to have answerit to the said complaint, and in the mein tyme that he sould depart furth of this toun of Leith, under the pane of rebellioun and putting of him to the horne, as the said complaint, executioun and indorsatioun of the same at mair lenth proportis. The said Johne Maister of Forbes comperand personalie, and the said Mr. James Harvy being oftymes callit, not only comperit not, bot als is departit furth of this Toun, lyke as wes cleirlie understand to my Lord Regentis Grace and Counsall ; quhairfore ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and denunce the said Mr. James our Soverane Lordis rebell and put him to the horne, and to eschete and inbring all his movable guidis to his Majesties use for his contemptioun.

Leyth, 13 June 1572.

[Mr. Robert Richardsoun, Commendator of Sancte Marie Ile, surety for the entry of James Chalmer when required, and also that he shall not intercommune with the enemies in the burgh and castle of Edinburgh.

James Dowglas of Todhollis and Nicoll Rynd, tailor, Edinburgh, sureties for the departure of Michaell Rynd, goldsmith, Edinburgh, furth of the kingdom, and that he shall have no intelligence with the rebels in Edinburgh before departing.

Leith, 18 June 1572.

Andro Monro of Newmoir surety for Mr. Patrik Bissatt's departure furth of the realm.]

Forsamekle as my Lord Regentis Grace and Lordis of our Soverane Lordis Privie Counsall, being informit that Adam Gordoun, sumtyme of Auchindoun, with his assistaris and complices, declarit tratouris and rebellis aganis our Soverane Lord and his auctoritie, ar laitlie with convocatioun cum in the Mernis, assegeand the houssis of trew baronis, and usand all uther kynde of hostilitie aganis his Majesties obedient subjectis, tending to enlarge the boundis of thair tirrany, to the greit harme and prejudice of the commoun weill; for resisting quhairof his Hienes hes maid, constitute, and ordanit, and be the tennour heirof, makis, constitutis, and ordanis, his traist cousingis and counsalouris David Erll of Crawfurde, Patrik Lord Lindesay, Robert Erll of Buchan, Lord of Glendowachy, and Johnne Lord Glammis, and William Maister of Marschell, conjunctlie and severalie, his Majesties Lieutenentis, gevand, grantand, and committand to thame full power and commissioun, expres bidding and charge,—all and sindrie his Hienes liegis within the boundis of the sherefdome of Forfar and the cuntrie of Angus betuix Tay and the North Watter,—and als within the boundis of the sherefdome of Kincardin,—to convocate and convene in weirlike maner, and to pas furthwart with our Soverane Lordis displayit baner, for resisting of the tressonable attemptattis of the saidis declarit tratouris or rebellis, or persewing of thame as occasioun salbe offerit; and in caise thay or any of thame sal happin to pas to houssis or strenthis, to assege the samyn, raise fyre and use all kynde of force and weirlike ingyne that can be had for wynning and recovery thairof; the personis takin and apprehendit to punis to the deid, or utherwayis to bring and present thame befoir my Lord Regentis Grace and Counsall to be punist for thair demereittis, conforme to the lawis of this realme; and to that effect Court or Courtis of Justiciarie, ane or ma, within the saidis boundis or ony part thairof to sett, begyn, affix, affirme, hald and continew, sectis to mak be callit, absentis to amertiat, trespassouris to puneis; unlawis, amerciamentis and escheatis of the saidis courtis to uplift and raise, and the samyn to thair awin use to apply; assyissis, ane or ma, within the saidis boundis and four half about to summond and caus be sworne, ilk persoun not comperand under the pane of xl ℔; clerkis, serjandis, dempstaris and all utheris officiaris and memberis of court neidfull to elect and cheise; and in caise in persute or resistence of thame, thay or ony of thame, sal happin to be hurt slane or mutilate, oure Soverane Lord will

and grantis, and for his Hienes and his successouris, decernis and ordanis, that the samyn salbe repute na cryme nor offence to the saidis Lieutenentis or utheris his Majesties trew lieges with thame in cumpany, nor thai nor nane of thame salbe callit nor accusit thairfore criminallie nor civilie be ony maner of way in tyme cuming, exonourand and dischargeand thame of all pane and dangear that thai may incur thairthrow for ever be thir presentis; and generallie all and sindrie utheris thingis to do, execute and use that in the premissis is necessarlie requyrit to be done; firme and stable holdand and for to hald all and quhatsumevir thingis the saidis Lieutenentis and ilkane of thame, conjunctlie and severalie, lauchfullie dois in the premissis; this commissioun during the will of my Lord Regentis Grace allanerlie to indure. [Accordingly, usual proclamation to be made at the market crosses of the burghs of Forfair, Kincardin, Dunde, and other places needful, for a muster of all between sixty and sixteen years of age.]

Apud Leith, xix° mensis Junii, anno, etc. lxxii°.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun Cancellarius.
Robertus Comes de Buchane.
Willielmus Dominus de Ruthven.
Patricius Dominus de Lyndesay.
Robertus Dominus de Boyd.
Robertus Dominus de Sympill.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.

The quhilk day, my Lord Regentis Grace and Lordis of Secrete Counsall, understanding the greit trouble and impediment made to all schippis, crayaris, and boittis, quhilkis passis up and doun the Firth to and fra Striveling, be ressoun of the withhalding of the Castell of Blaknes aganis his Hienes and his auctoritie, and using of the samyn to the use and behuif of his Majesties declarit tratouris and notorius rebellis; and willing to provide remeid thairfore, committit the mater to be considerit of be certane merchandis and utheris travellaris up and doun the said Firth, and certane maisteris, skipparis, and marinaris, of the toun of Leyth; quhilkis for the furtherance of oure Soverane Lordis service and the saulftie and preservatioun of the veschellis and guidis passand up and doun the said Firth, hes interprisit and takin in hand to keip the said Firth, specialie foranent the said Castell of Blakness, fra the reif and invasioun of the saidis declarit traitouris and rebellis, havand for thair sustentatioun and chargeis ressonable support of the same boittis, veschellis, and guidis, according to the avale and quantitie following: that is to say, the maisteris, skipparis and marinaris being imployit in this service and taking the same on hand, sall have for every chalder of victuall passand up the Firth xvi ß., and of every tun of wyne or uther merchand waires being hyde, woll, skin or claith,

according to the quantitie and laidning, xiii ß. iiii đ. of the tun, and of every chalder of coillis xl đ.; to be pait be the marchandis baith in thair uppassing and douncuming; and that the maisteris, skipparis and awnaris of the shippis and boittis pay for the saulftie thairof, according to the birth of the same, xii đ. for the chalder; for quhilkis the maisteris, skipparis and marinaris underwritten, taking on thame the saulftie and preservatioun of the saidis veschellis and guidis, sall do thair utter and exact laubouris and diligence to warrand the same fra the saidis declarit traitouris, thair assisteris and complices, specialie being within the Castell of Blaknes; and to the effect that thai may be the mair hable sa to do, my Lord Regentis Grace, with avise of the Lordis of Secrete Counsall, in oure Soverane Lordis name, gevis and grantis full power, commissioun, and authoritie, to Williame Downy and Alexander Lummisden, conjunctlie and severalie, to rig furth and sett to the sey shippis or boittis, ane or ma, as thay sall think gude, in weirlikemaner, and to mak convocatioun of oure Soverane Lordis liegis to pas in cumpany with thame, alsweill for defence and preservatioun of the marchandis shippis, boittis, and victuallis, as for invasioun and persute of the saidis declarit traitouris and rebellis and conspiratouris, thair assisteris and partakeris, speciallie within and about the Castell of Blaknes foirsaid; and gif it sall happin ony of the saidis declarit traitouris and rebellis, thair complices, assisteris and partakeris, to be hurt, slane or mutilate, or thair shippis, veschellis, houssis and guidis to be brint, spuilzeit, sunkin, ruinat or distroyit, my Lord Regentis Grace, with avise of the Lordis of Secrete Counsall foirsaidis, decernis and declaris the same salbe na cryme nor offence to the saidis maisteris, skipparis, and marinaris, and utheris assistand and takand part with thame in the furthsetting of oure Soverane Lordis service abonewrittin, nor thay sall not be callit or accusit for the samyn, criminallie nor civilie, be ony maner of way in tyme cuming, exonerand and dischargeand thame simpliciter of the same for ever; this present commissioun during the will of oure Soverane Lord and my Lord Regentis Grace to indure, and that letters be direct for publicatioun heirof, gif neid be, in dew forme as efferis.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secrete Counsall be Edward Elwod merchand of Newcastell, in England, makand mentioun—that quhair laitlie he tuik to fraucht ane ship callit the Cuthbert, from the Newcastell to the port and havin of Leith in Scotland, having thairin fourtene hundreth and ane half scheip skynnis, to have sauld the samyn in the toun of Leith to oure Soverane Lordis liegis; bot yit be contrair wind being drevin in Brint Iland, he wes compellit be Alesoun Orrok, spouse to Johne Clapen, be quhat titill he knawis not, to mak pament to hir of the custumes of his saidis guidis alsweill for his inpassing as for his outcuming, extending to the sowme of sextene pundis Scottis money, quhilk he pait to hir, offerand himself obedient to all lawis and ordinances of this realme. And now sensyne arryvand with the same guidis within the havin of Leith, quhair he first proponit to have sauld the

samyn, hes saidis custumes ar renewit upoun him, and he chargeit be Robert Watsoun, custumar in this part, to mak new pament to him thairof; and sua the said Edward wilbe compellit to mak dowble pament of his saidis Custumes, and evill handillit thairthrow, be double executioun, being ane strangeare, without remeid be providit. And anent the charge gevin to the said Alesoun Orrok and Robert Watsoun, to compeir befoir my Lord Regentis Grace and Lordis of Secrete Counsall at ane certane day bigane, to answer to this complaint and to heir and se ordour takin anent the same as appertenis, with certificatioun to thame and thay failyeit, sic ordour sould be takin anent the samyn as sould be found ressonable, as the said supplicatioun, executioun and indorsatioun of the samyn at mair lenth proportis.—All the partiis comperand personalie, thair richtis, ressonis and allegationis being hard, sene, and considerit, be my Lord Regentis Grace and Counsall, and thay ryiplie avisit thairwith;—my Lord Regentis Grace and Lordis foirsaidis findis, that the said Edward aucht to pay his custumes of the saidis guidis to the said Alisoun for his inpassing and lossing of the samyn at Brintiland, becaus it is understand to his Grace and Counsall that quhair the guidis and geir of quhatsumevir persoun beis loist, and the samyn or ony part thairof sauld, that thair the custumes of the haill aucht to be pait; and as for the custum ressavit be the said Alesoun fra the said Edward for his outpassing with his saidis guidis, decernis and ordanis hir to deliver the samyn to him agane, becaus it is alsua understand to my Lord Regentis Grace and Counsall that the samyn guidis war shippit at the port and havin of Leith, and that quhairevir ony merchandice or guidis beis shippit, that the custum thairof aucht to be pait to the Custumar in that part quhatsumever; lyke as the said Edward wes content of his awin consent to pay the custum of his saidis guidis to the said Robert for his out passing.

Apud Leyth, xx° Junii, anno, etc. lxxii°.

Sederunt—Domini ut in die predicto.

Forsamekle as the declarit traitouris, rebellis and conspiratouris aganis oure Soverane Lord and his auctoritie, continewand in thair tressonable attemptattis and wikkit deidis, tending to the owerthraw and distructioun of the commoun weill, hes of lait maid convocatioun of his Hienes liegis, and forrayit certane landis within the Levinax and about the cietie of Glasgow, as alsua within Strivelingschire and utheris partis of the realme obedient to his Hienes auctoritie; and hes heriit the peciable and gude subjectis of thair guidis, mynding by sic tirrany to continew thair reif of uther mennis guidis, to the greit hinder and prejudice of the Kingis obedience and subversioun of the state of the commoun weill, gif the same be not spedallie resistit. For remeid quhairof my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, hes thocht meitt, deliberat and

concludit, that the cuntrie of Clyddisdall and utheris boundis adjacent,—samekle thairof as is inhabite be the saidis traitouris, rebellis and conspiratouris aganis oure Soverane Lord and his auctoritie, thair favouraris, assisteris and partakeris,—salbe persewit with fyre and sword quhill thay be exterminat or ellis reducit to oure Soverane Lordis obedience; and for executioun of the same gevis and grantis full power, auctoritie and commissioun, be virtew of this present Act, to the noble and michtie Lord James Erll of Mortoun Lord of Dalkeith, Chancellar and Greit Admirall of Scotland,—makand and constituand him oure Soverane Lordis Lieutenent,—to convocate oure Soverane Lordis liegis in werlikemaner, and to pas furthward, invade, and persew, the saidis declarit traitouris, rebellis and conspiratouris, thair favouraris, assisteris and partakeris, resettaris or conceillaris of thair personnis or guidis, quhairever thai may be apprehendit; with fyre and sword; thair houssis and dwelling places to cast doun and dimolishe; thair personnis to execute and demayn to the dethe; thair guidis and cattell to forray, intromett with, and expone in pray; with all uther kynde of punishment and hostilitie in sic caissis dew and requisite; all houssis and strenthis kepit be thame aganis our Soverane Lord and his auctoritie to asege and be force recover; charges for randering thairof, or aganis quhatsumever personis, to compeir befoir him under the panis of tressoun or horning, to direct and cause be execute; as alsua to grant and gif relaxationis fra the horne, to intercommoun with the saidis declarit traitouris or rebellis, and grant assurance to thame or thair messingeris for that effect; and to capitulate and ressave to oure Soverane Lordis mercie upoun thair submissioun and offerris, and generallie, etc.; firm and stable, etc.; and gif it sal happin ony of the saidis declarit traitouris, rebellis and conspiratouris, thair favoraris, assisteris and partakeris, or the resettaris and conceillaris of thair personis and guidis, to be hurt, slane or mutilat, or thair houssis to be brint and distroyit, or thair guidis to be forrayit, spuilzeit and exponit in pray,—my Lord Regentis Grace, with avise of the Lordis of Secrete Counsall, decernis and declaris that the same salbe na cryme to the said Erll of Mortoun and our Soverane Lordis trew and faithfull subjectis assisting him in the executioun of this present commissioun, nor thay nor nane of thame salbe callit or accusit for the same, criminallie nor civilie, be ony maner of way, in tyme cuming, exonerand and dischargeand thame simpliciter of the same, and of all actioun, cause, and pley that may be movit or intentit aganis thame or ony of thame thairfor for ever; this present commissioun during the will of our Soverane Lord and his said Regent, and ay and quhill the samyn be dischargeit, to indure.

Forsamekle as be the withhalding of the Castell of Blakness aganis our Soverane Lord and his authoritie, the guidis and geir of his Majesties trew subjectis thairabout ar reft, spuilyeit, and intromettit with, and ane part thairof transportit to the said Castell, and ane uther part of the same to the place of Nudry, mynding now in the absence of my Lord Regentis

Grace and utheris of the nobilitie in the west partis of this realme, to mak a convoy of the saidis guidis to the burgh of Edinburgh; and in thair cuming to bring with thame all the nolt, scheip, and utheris guidis thay sall apprehend be the way for furnessing of the declarit traitouris, rebellis and conspiratouris being within the said burgh, gif remeid be not providit in tyme; quhairfore ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the mercat croce of Lynlithgow, Peir and Schoir of Leith, and utheris places neidfull, and thair be oppin proclamatioun in oure Soverane Lordis name and auctoritie command and charge all and sindrie his Majesties lieges quhilkis hes ony maner of cattell —on the north syde of the watter of Esk, and be eist the toun of Lynlithgow and place of Calder, and the said burgh of Edinburgh,—that thay remove and cause thame to be transportit furth of the saidis boundis to utheris partis,—thair to remane quhill my Lord Regentis Grace returning to Leith—within xxiiii houris nixt efter the proclamatioun of the saidis letters, under the pane of escheting of the saidis guidis, and of all the rest of thair movable guidis, to oure Soverane Lordis use; certifeing thame and thai failye, that thair haill guidis and geir salbe intromettit with and exponit in pray to the men of weir, and thameselffis estemit and demanit indifferentlie as assisteris and partakaris with the saidis dissobedient subjectis in thair tressonable and wikkit deidis, with all rigour and extremitie, in exemple of utheris.

Apud Leith, xxi die mensis Junii, anno, etc. lxxii.

Forsamekle as the present hunger, derth, and scarcitie of viveris, within the burgh of Edinburgh, detenit aganis oure Soverane Lord and his authoritie, is not unknawin to my Lord Regentis Grace and Lordis of Secrete Counsall; quhilkis desyring na thing mair nor the saulftie and preservatioun of Scottis people, being the creatouris of God and the Kingis borne subjectis, howsoever heirtofore thai haif evill deservit and bene the instrumentis of the lang and dangerous trouble quhairwith this commoun weill hes bene molestit; and thairfore that the pure and impotent personis sall not perreis, nor the hable men and suldartis drawin to ony disperat necessitie, bot may haif commoditie to serve and leif owther within the realme or to pas to the warres in Flanders, or uther foreyn cuntreis quhair thay may haif sufficient interteniment; ordanis ane Herauld, Maser, or uther officiar of armes, to pas to the Schoir and Peir of Leith and utheris places neidfull, and thair be oppin proclamatioun in oure Soverane Lordis name and auctoritie, to command, charge and admoneishe yit as of befoir, all maner of personis being within the said burgh of Edinburgh, alsweill men of weir as inhabitantis of the toun itself, that thay and every ane of thame remove thame selffis, thair wyffis, bairnis, servandis, and guidis, furth of the same to the cuntrie amangis thair freindis quhair thai may be best staikit, betuix and Monunday at evin the xxiii day of Junii instant; commanding all our Soverane Lordis liegis, men of weir and utheris, that nane of thame tak upoun hand to inquiet,

molest, trouble, or serche the personis quhatsumever passand furth of the said burgh, in bodyis or guidis, providing thai returne not agane to the same; and the said xxiii day at nycht being past, ordanis the effect and privilege of this present proclamatioun alluterlie to ceise, and that na maner of personis, men, wemen, nor bairnis for ony kynd of occasioun, nor be virtew of ony privilege, act, licence or tollerance grantit heirtofore presume owther to cum furth of the said burgh or to repair thairto, under the pane of deid; certefeing thame that failyeis heirin, the said xxiii day at nicht being bipast, they salbe execute to the deid with all rigour in exemple of utheris.

Apud Leith, xxii° Junii, anno, etc. lxxii°.

Sederunt—

Joannes Dominus Regens.
Jacobus Dominus de Mortoun.
Alexander Comes de Suderland.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Forsamekle as my Lord Regentis Grace, with diverse utheris noble men, our Soverane Lordis faithfull and obedient subjectis, ar to pas to the feildis for persute and invasioun of the declarit tratouris, rebellis, and conspiratouris aganis oure Soverane Lord and his auctoritie, intending in the meintyme to leif the toun of Leith weill garnishit for prosequuting the Kingis service about Edinburgh as appertenis. Quhairfore my Lord Regentis Grace, with avise of the Lordis of Secrete Counsall, in oure Soverane Lordis name, makis, constitutis and ordanis the noble and michtie lordis, Johnne Erll of Montrois Lord Grhame, Williame Lord Ruthven, and Patrik Lord Lindesay of the Byris, oure Soverane Lordis Lieutenentis and Justices in that part, conjunctlie and severalie, gevand, grantand and committand to thame full power, speciall command and charge, to convocate oure Soverane Lordis liegis alsweill subject to the present proclamatioun as men of weir and utheris his Hienes liegis quhatsumever, and to pas furthward, invade and persew the saidis declarit tratouris, rebellis, and conspiratouris, alsweill being within the burgh of Edinburgh as without, thair favoraris, assisteris and partakeris, quhairevir thay may be apprehendit, with fyre and sword; thair houssis and duelling places to cast doun and demoleis; thair personis to execute and demane to the deathe; thair guidis and cattell to foray, intromett with and expone in pray; with all uther kynde of punisment and hostilitie in sic caissis dew and requisite; all houssis and strenthis kepit be thame aganis oure Soverane Lord and his auctoritie to assege and be force recover; chargeis for randering thairof, or aganis quhatsumever personis, to compeir befoir thame, under the panis of tressoun or horning to direct and cause be execute; court or courtis of Lieutenendry or Justiciarie to sett, begin, affirm, hald and continew; sectis to mak be callit, absentis to

amerchiat; trespassouris to puneis; unlawis, amerciamentis and eschaetis of the saidis courtis to ask, lift and raise and for the same gif neid be to poind and distrenye; clerkis, serjandis, dempstaris and all utheris officiaris and memberis of court neidfull, to mak, creat, substitute and ordane for quhilkis they salbe haldin to answer; and generalie all and sindrie utheris thingis to do, exerce, and use that to the offices of Lieutenendry and Justiciarie in sic caissis ar knawin to pertene; firme and stable haldand and for to hald all and quhatsumevir thingis the saidis Lieutenentis and Justices, conjunctlie and severalie, in his Hienes name in the premissis lauchfullie leidis to be done; this present commissioun during the will of our Soverane Lord and his said Regent, and ay and quhill the samyn be dischargeit to indure.

Apud Glasgw, xxvii° Junii, anno, etc. lxxii.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun.
Gilbertus Comes de Cassillis.
Alexander Comes de Glencarne.
Johannes Dominus Maxwell.
Robertus Dominus Sympill.
Robertus Dominus Boyd.
Joannes Dominus Hereis.
Andreas Dominus Uchiltre.
Allanus Dominus Cathcart.
Hugo Dominus Somervile.

Forsamekle as my Lord Regentis Grace, with diverse of the nobilitie and utheris oure Soverane Lordis faithfull subjectis, irritat and provokit be the temerarius and tressonable attemptattis of the declarit tratouris, rebellis, and conspiratouris aganis his Hienes and his authoritie, in forraying and spuilyeing of the guidis and substance of his Hienes loving subjectis, inhabitantis of this cietie of Glasgow and cuntrie adjacent, and taking and intending to keip houssis and strenthis, to the anoyance of the same cietie, besyde the frequent murtheris and utheris haynous crymes daly committit aganis his Hienes faithfull and peciabill subjectis;—this present force and army, upoun mature and grave deliberatioun, is convenit for resisting of the saidis tressonable attemptattis and repressing the insolence of the saidis declarit tratouris, rebellis, thair assisteris and partakeris; and during the tyme thairof, it is convenient that all oure Soverane Lordis subjectis convenit for his Hienis service, in ane mynde concur for the avancement of the samyn, laying asyde all occasionis of displesouris, grudgeis or inimitie standing amangis thame. Thairfore my Lord Regentis Grace, with avise of the Lordis of Previe Counsall, ordanis ane Officiar of Armes to pas to the mercat croce of this cietie of Glasgow and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and auctoritie, command and charge all and sindrie his Hienes liegis convenit or to convene to the present army, that thai and every ane of thame keip gude and honest societie, ilkane with uther for the furthering of his Majesties service, and that nane of thame tak upoun hand to invade, molest, or persew utheris in bodyis or guidis outher for auld feid

or new, or mak provocatioun of trouble or inquietness be word, deid, or countenance, during the tyme of the remaning togidder of this present army and xv dayis thairefter, under the pane of deid; certefeing thame that failyeis, thay salbe repute, estemit, demanit, and punist to the deid, in exemple of utheris; and mairower because it is convenit that all executioun be maid according to commandiment and directioun and na utherwyise; thairfore to command and charge all our Soverane Lordis liegis convenit or to be convenit to this present army, alsweill men of weir as utheris, that nane of thame tak upon hand to foray, tak or intromet with ony guidis or the personis of ony men, notwithstanding that thai be of the nowmer of the saidis rebellis or thair partakeris; and notwithstanding that my Lord Regentis Grace and the army repair in thair boundis quhill first his Grace, with avise of the Counsall, gif ordour, directioun and commandiment how sic thingis salbe, and that sum be specialie appointit to have the leding and conducting of thame under the pane of deid; certefeing thame that beis notit or apprehendit doand in the contrair, thai sal immediatlie be execute to the death; and als to command and charge the inhabitantis of the cietie of Glasgow to follow the army quhair it sall repair, with breid, aill and all uther kynde of viveris for men and horse, quhilk salbe coft fra thame with reddy money and thankfull pament, as thai will answer upoun thair obedience.

The quhilk day, the personis underwrittin comperand in presens of my Lord Regentis Grace and Lordis of Secrete Counsall, fand suirteis under the panis respective following, that thay sall compeir and underly the law befoir the Justice or his deputtis in the Tolbuith of Leith, the xxiiii day of Julii nix to cum, for art and part of the murthuris of umquhile the King oure Soverane Lordis fader and of his Regentis, and als for all uther crymes that may be imput to thame tuitcheing thair dissobedience of oure Soverane Lordis auctoritie, or assisting and partaking with the declarit tratouris, rebellis, and conspiratouris aganis his Hienes auctoritie foirsaid, be thame selffis, thair servandis and guidis, sensyne to the day and date heirof, under the panis following; and siclike that the personis sall not in tyme cuming ressett, supple nor intercommoun with the saidis declarit tratouris, rebellis and conspiratouris, bot sall serve and obey our said Soverane Lord, his Regent and auctoritie, and assist sic as hes commissioun of his Hienes, or professis his obedience, in the resisting or persute of the saidis declarit tratouris, rebellis, and conspiratouris, and thair partakeris, and sall have our Soverane Lordis commissioun, or that professis his authoritie and service, as thai sall be requyrit, under the pane particularlie efter specifiit.

Robert Lyndsay of Dunrodis become suirtie for Mr. James Hammiltoun of the Peill that he sall underly the law for all crymes, saulffiing intercommoning, under the pane of ane thousand pundis, and the said James oblist him to releif, etc.[1]

[1] The other names will be found in the separate Index of excluded names.

And siclike the personis following become in the will of my Lord Regentis Grace for ressett, supple and intercommoning with the declarit tratouris, rebellis, and conspiratouris aganis our Soverane Lord and his auctoritie in tymes bigane, and fand the personis efter following with thame selffiis, souirteis, conjunctlie and severalie, for satisfactioun and fulfilling of his Grace will to be declarit anent every ane of thame in particular; and als that thay sall serve and obey oure Soverane Lord, his Regentis and auctoritie, in tyme cuming, and observe, keip and fulfill sic ordour and directioun as salbe left be his Grace and Counsall toward the furthsetting of the Kingis obedience and auctoritie, and resisting, repressing and persute of the saidis declarit tratouris, rebellis, and conspiratouris; and siclike sall mak thair houssis alwayes patent for the ressett or refuge of sic as sall have oure Soverane Lordis commissioun, or that professis his auctoritie and service, as thai salbe requyrit, under the panis particularlie efter specifiit.

The quhilk day, Thomas Inglis of Murdeistoun as principall, and Williame Wallace of Johnnstoun as plege and souirtie for him, become actit and obleist, conjunctlie and severalie, for fulfilling of the conditionis abonewrittin, under the pane of thre thousand pundis; and the said Thomas oblist him to releif, etc.[1]

The quhilk day, the personnis underwrittin being forfaltit, comperit in presens of my Lord Regentis Grace and Lordis of Secrete Counsall, and offerit thame reddy to underly the law befoir the Justice and his deputtis in the Tolbuith of Leith, the xxiiii day of Julij nix to cum, for art and part of the murtheris of umquhile the King oure Soverane Lordis fader and of his Hienes Regentis, and become in the will of my Lord Regentis Grace for the assistence, ressett, supple and intercommoning with the declarit tratouris, rebellis and conspiratouris aganis his Hienes and his auctoritie sen his Majesties coronatioun; and my Lord Regentis Grace, be avise of the Lordis of Secrete Counsall, declarand his will, ordanis the saidis personis to find souirtie to underly the law for the saidis murthuris, at the day abonewrittin, and als that thai sal serve and obey the King, his Regent and auctoritie, as becumis dewtyfull subjectis, observe, keip and fulfill sic ordour and directioun as his Grace and Counsall sal leif toward the furthsetting of the Kingis obedience and auctoritie, and resisting, repressing, and persute of the saidis declarit tratouris, rebellis, and conspiratouris; and siclike that thay sall mak thair houssis patent alwayis for ressett or refuge of sic as sall have our Soverane Lordis commissioun, or as professis his auctoritie and service, as thay salbe requyrit, under the panis particularlie efter specifiit; and the said souirtie being fundin, and the personis underwrittin fund innocent of the saidis murtheris, his Grace will grant thame remissionis in sic forme as hes bene grantit to utheris that returnit to the Kingis obedience, as alsua restitutioun, via graciæ, quhairby thay may be maid hable to sute the favoure of my Lord Regentis Grace anent sic thingis as thai have farder to crave and inqueir.[1]

[1] See the separate Index of excluded names.

Glasgw, 29 June 1572.

[Act of caution in favour of Robert Hammiltoun of Mylneburne, who is licensed to pass to France.]

Apud Hammiltoun, primo die mensis Julii, anno Domini j^{m}v^{c}lx[x]ii°.

Forsamekle as my Lord Regentis Grace, with the nobilitie and Lordis of oure Soverane Lordis Privie Counsall, are reparit in this cuntre, lang troublit be the rebellioun of the dissobedient subjectis aganis his Hienes and his auctoritie, for setting the same to the obedience of his Hienes; and thairfore ordanis an officiar of armes to pas to the mercat croce of Hammiltoun, and thair be oppin proclamatioun in our Soverane Lordis name and auctoritie, command and charge all and sindrie oure Soverane Lordis liegis convenit to this present army, that thay abstene, leif of, and forbear, the etting and distructioun of cornis growand about this toun of Hammiltoun, bot withdraw thair horssis to the nether toun of Hammiltoun, as thay will answer upoun thair obedience at thair uttermaist charge and perrell; and als to command and charge all and sindrie oure Soverane Lordis liegis, that nane of thame tak upoun to forray or tak ony maner of guidis in ony part of the cuntrie, nor yit raise fire, under the pane of hanging, with certificatioun to thame that salbe apprehendit doand in the contrair, thay salbe hangit to the deid without dome or law; and siclike ordanis and commandis all maner of personis that may apprehend ony of the saidis forrayeris, takeris of geir or raisaris of fyre, that thai present thame befoir my Lord Regentis Grace and the Counsall, to the effect that thai may be punist according to thair deserving.

Apud Glasgw, secundo die mensis Julii, anno, etc. lxxii°.

Forsamekle as the commoun weill of this realme being of lang tyme havelie troublit throw the manifest rebellioun of the declarit tratouris, rebellis and conspiratouris aganis oure Soverane Lordis auctoritie, specialie within the boundis of Cliddisdaill, quhilk is enlarging thair accustumat boundis, hes of lait raisit fire, takin houssis and forrayit and spuilyeit the guidis of diverse of oure Soverane Lordis gude subjectis; and the mater being considerit be my Lord Regentis Grace, with avise of the noble men and utheris our Soverane Lordis Previe Counsall, it is thocht convenient that his Grace sould repair in this cuntrie with ane force of his Hienes obedient subjectis, quhairthrow the obedientes micht be decernit fra the inobedientes, and a ordoure left for repressing of the rebellis, and saulftie and preservatioun of the peciable and obedient people; and to the end that the ordour now appointit, may tak gude effect and executioun in tyme cuming, neidfull it is that sum noble man be authorizit with his Hienes commissioun; and his Grace, with the nobilitie and Counsall present, having consideratioun of the fidelitie, wosdome and gude conduct of his traist cousing and counsalour Robert Lord Sempill, and of his habilitie for

service, be ressoun of his experience and neirness of his habitatioun and freindis; thairfore makis, constitutis, and ordanis, be virtew of this present act, the said Robert Lord Sempill, oure Soverane Lordis Lieutenent Generall and Justice in that part within the boundis of the sherifdomes of Lanerk and Renfrew [with power in the usual form to hold courtis of Lieutenendry or Justiciary, and to do everything requisite for executing his office] To direct proclamationis in oure Soverane Lordis name for convening of all and sindrie the subjectis within the saidis boundis, at sic places and for sic space as to him sall seme convenient, under the panis of tinsall of lyfe, land and guidis; and als to command and charge oure Soverane Lordis men of weir now left in Cliddisdaill, and utheris oure Soverane Lordis liegis within the saidis boundis, alsweill for resisting of the invasioun of the saidis declarit tratouris and rebellis, thair assistors and partakeris, as for persute and invasioun of thame, according as the occasioun and commoditie salbe offerit; and for that effect, to display our Soverane Lordis baner, summond, charge houssis and strenthis to be renderit, and in caise of refuge to assege thame be fyre, sword, and all uther kynde of hostilitie; and gif ony of the saidis declarit tratouris and rebellis,—being within the saidis houssis, strenthis, or without, or thair assisteris and partakeris,—sal happin to be hurt, slane or mutilat, houssis or guidis brint, distroyit and exponit in pray;—declarand and decernand that the same is, and in all tyme cuming salbe comptit and estemit as worthie and gude service to oure said Soverane Lord and his auctoritie, and na cryme to the said Lord Lieutenent his deputtes, officiaris, or utheris oure Soverane Lordis liegis assistand tham in the executioun of this present commissioun; nor thay nor nane of thame salbe callit or accusit thairfore criminallie nor civile be ony maner of way in tyme cuming; exonerand and dischargeand thame of the samyn simpliciter for ever; and in lyke maner, with power to the said Lord Lieutenent and Justice to grant assurances and relaxationis fra the horne to ony personnis within the saidis boundis ather forfaltit or at the horne, for resisting or dissobedience of the Kingis Majesties auctoritie, during the space of tuentie dayis, for drawing thame to his Hienes obedience; and that in the meyntyme he may mak report to my Lord Regentis Grace and the Counsall; alwyise sic exceptit as may not abyde the law for the murthuris of the King his Hienes fader, and of his Hienes late Regentis of gude memorie, according to the injunctionis and speciall exceptionis presentlie deliverit to the said Lord Lieutenant; and generallie, all and sindrie uther thingis to do, exerce and use, that to the offices of Lieutenendry and justiciarie in sic caissis of law or consuetude of this realme ar knawin to pertene; firm and stable haldand and for to hald, all and quhatsumever thingis the said Lieutenent and Justice in our Soverane Lordis name in the premissis lauchfullie ledis to be done; this present commissioun during the will of oure said Lord and his said Regent allanerly to indure; and that this present Act be a sufficient warrand to the Chancellor and his deputtis kepares of the greit seill for passing of ane commissioun heirupoun in dew forme as efferis, without ony uther seill or

warrand to proceid; providing alwyise that Alexander Erll of Glencarne Lord of Kilmawris, Alexander Cunynghame of Craiganis, Hew Cuninghame of Watterstoun, Maister Johnne Porterfield of that Ilk, Johnne Schaw of Grenok, and thair tenentis and servandis duelland upoun thair landis within the saidis boundis, sall not be comprehendit under the said Lord Lieutenentis commissioun, bot be exemit thairfra; and that letters be direct for publicatioun heirof at the mercat croces of Lanerk, Renfrew, Glasgow, Hammiltoun, and utheris places neidfull, that nane pretend ignorance of the same; commandand all and sindrie oure Soverane Lordis liegis within the saidis boundis to reddelie answer, intend and obey the said Lord Lieutenent, his deputtis and officiaris, in executioun of this present commissioun, under all hieast pane, charge and offence that thai and ilkane of thame may committ and inrin aganis his Majestie in that part.

Apud Hammiltoun, tertio die mensis Julii, anno, etc. lxxii°.

[It being needful that the traitors and rebels inhabiting the country of Cliddesdale should] be specialie proclamit and notifiit that nane pretend ignorance heirefter; thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the mercat croces of Lanerk, Hammiltoun, Glasgow, and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and auctoritie, command and charge all and sindrie his Hienes liegis and subdittis, that nane of thame tak upoun to resort, supple or intercommoun with—James sumtyme Duke of Chastallarault, Johne Hammiltoun sumtyme Commendatour of Abirbrothok, and Claude Hammiltoun his sonnis, Andro Hammiltoun sumtyme of Goslington knycht, Johnne Hammiltoun of Drumry, James Hamiltoun sumtyme of Bothuilhauch, Johnne Hammiltoun sumtyme Provost of Bothuile, James Hammiltoun sumtyme of Rouchbank, Robert Hammiltoun sumtyme of Torrense, Andro Hammiltoun sumtyme of Cochno, James Mureheid sumtyme of Lawchope, Alexander Baillie sumtyme of Litilgill, Gawin Hammiltoun sumtyme of Roploch, Arthure Hammiltoun sumtyme of Mieretoun, James Hammiltoun sumtyme of Levingstoun, Robert Hammiltoun sumtyme chalmerlan of Kilwynning, Maister James Hammiltoun sumtyme of Nellsland, Thomas Hammiltoun sumtyme of Preistisfeild, Mr. Johnne Hammiltoun sumtyme persoun of Dunbar, Robert Hammiltoun sumtyme of Garane, Johne Hammiltoun sumtyme in Killowy, Williame Baillie sumtyme of Cormestoun, Maister Archibald Hammiltoun sumtyme vicar of Kilbirny,—or to ony of the saidis personis, or to thair knawin or notorius servandis, meitt, drink, house, and herbery, or send or ressave messages or intelligence to or fra thame under the pane of tressoun, with certificatioun to thame that failyeis and dois in the contrair, thay salbe repute, haldin, estemit, persewit, puneist and demanit as plane partakeris with the saidis declarit tratouris and rebellis with all rigour in exemple of utheris.

Apud Striveling, septimo die mensis Julii, anno, etc. lxxii°.

Forsamekle as Adam Gourdoun sumtyme of Auchindoun, declarit tratour and rebell aganis our Soverane Lord and his auctoritie, with his assistaris and partakeris, ar cummit in the cuntrie of Angus, usand all kynde of hostilitie and barbarus creweltie upoun the honest and peciable gude subjectis of the cuntreis of Angus and Mernis, intending to approche neirar gif thai be not substanciouslie resistit; for quhilk purpoise, my Lord Regentis Grace is to pas him self to the feildis with all celeritie and expeditioun; thairfore ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the mercat croces of Striveling, Perth, Couper in Fiff, Forfar, Dunde and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and auctoritie, command and charge all and sindrie his Hienes liegis betuix sextie and sextene yeiris, and utheris fensible personnis alsweill duelland to burgh as to land, within regalitie as ryaltie, bayth on horse and fute, that thay and ilkane of thame weill bodin in feir of weir with all possible diligence address thame to convene at the burgh of Perth, and thairfore to accumpanie my Lord Regentis Grace for resisting or persute of the saidis declarit tratouris and rebellis, and swa to continew on the feildis for that effect sa lang as thay salbe commandit and as the necessitie of the service sall require, under the pane of tinsall of lyfe, land and guidis.

[Act of caution in favour of Sir Walter Scott of Branxholme, released from ward in the Castle of Doun in Menteith; he shall re-enter on 1st August next, and shall not meddle with William Dowglas of Lochleven in the intromission with the abbacy of Melrose.

Perth, 9 July 1572.

Suretyship for the good conduct of Hary Balfour, brother of James Balfour of Boghall.

Dunde, 11 July 1572.

Suretyship for the entry of Henry Lovell of Ballumby before the Council.]

Apud Leith, xii Julii, anno, etc. lxxii.

Forsamekle as my Lordis Lieutenentis and Lordis of Secreit Counsall, considering that the present rebellioun and publict troublis hes the langar continewance be ressoun of the daly traffique, practize and intelligence betuix the inhabitantis of the Cannogait presentlie remaning within and about the abbay of Halyruidhous, and the declarit tratouris withhalderis of the burgh of Edinburgh aganis oure Soverane Lord and his auctoritie; the maist part of the inhabitantis of the said Cannogait and utheris suburbis of Edinburgh being favoraris and privie furneissaris of the saidis declarit tratouris

and sic as never appoint thameselffis nather for persute nor resistence. For remeid quhairof and eschewing of forder inconvenience, my Lordis Lieutenentis, with avise foirsaid, ordanis ane Herald or Officiar of Armes to pas to the Girth Croce of the Cannogait and utheris places neidfull, and thair be oppin proclamatioun in oure Soverane Lordis name and auctoritie, command and charge all and sindrie personnis of quhat estait, degre or qualitie thai be of, being within the said Abbay or ony part thairabout,—the men of weir appointit for keping of the same Abbay onlie except,—that thay betuix and Twisday the xv day of Julii instant at nycht, remove thameselffis, thair wyffis, bairnis, and servandis furth of the saidis boundis to utheris partis, and on na wyise cum nor repair thairto under quhatsumever cullour or pretense during the tyme of the present troublis, under the pane of confiscatioun of all thair movable guidis to oure Soverane Lordis use and using of thair personnis as inimeis and rebellis; certifeing all that dois in the contrair, or that removis not within the said space, that the panis foirsaidis salbe execute aganis thame with all rigour and extremitie in exemple of utheris; and becaus the men of weir appointit for keping of the said Abbay mon be alwayis furneist of victuallis and utheris thair necessares, it is thocht gude, resolvit and concludit, that in tyme cuming every Monunday of the oulk, victuallis salbe coft and transportit to thame furth of this toun, upoun thair awin expenssis, samekle as salbe thocht necessar to serve thame for the space of aucht dayis efter utheris, thay sendand sum of thair awin hether for that effect, quhairunto alsua thay sall ressave sure convoy, and that nane of thame use ony uther moyen or traffique for thair furnesing, under the pane of deid.

Apud Leith, xxi die mensis Julii, anno, etc. lxxii.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Marcus Commendatarius Newbottill.
Clericus Registri.
Clericus Justiciarie.
Computorum Rotulator.

[Act of caution in favour of Henrie Lovell of Ballumby; he shall restore to Thomas Schippert the four oxen stollen from him, and shall not molest his son Johnne Lovell fiar of Ballumby.

Surety for Johnne Lovell younger of Ballumby, that he shall not molest his father.

Leith, 26 July 1672.

Act of caution for the entry of Johnne Creichtoun of Brintston and Johnne Pennycuik younger of that Ilk.]

Apud Leith, penultimo die mensis Julii, anno, etc. lxxii.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun.
Willelmus Dominus de Ruthven.
Patricius Dominus de Lindesay.
Robertus Dominus de Boyd.
Allanus Dominus de Cathcart.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Marcus Commendatarius Newbottill.
Clericus Registri.
Clericus Justiciarie.

Forsamekle as my Lord Regentis Grace and noble men of this realme,—followand the instance and exhortatioun that the ambassadoures of the maist Christin King of France and the Quenis Majestie of England hes maid unto thame,—for thameselffis, thair assisteris, partakeris and sic as dependis on thame, hes sworne and promeist ane abstinence and cessatioun from hostilitie betuix thame that presentlie be in armes, to begin this present day and till indure quhill twa monethis be fully outrun; during the quhilkis thay have oblist and promeist, that with all sinceritie and suirtie the said abstinence from weir and cessatioun from hostilitie sall continew, and sa sone as may be that the noblemen and estattes of the realme salbe assemblit for to advise be thair meanes, to rander the realme peciable, and establische a gude and generall peax, quhilkis, with thair cumpanyis, salbe in full suirtie in thair cuming to the place, remaning or returning thairfra during the said space of twa monethis; and that sa haly a work be not retardit, it is accordit that during the trewis and abstinence, twa, thre, foure or fyve, ma or fewar, of ayther partie may communicat togidder in all suirtie in sic place as salbe agreit upoun, to oppin up the meanes for the mair facill obtening to a gude peax; and gif it chance, quhilk God forbid, that at the assembly of the said Nobilitie and Estaittis, the said peax and reconciliatioun may not be concludit, the differences betuix thame, alsweill of the abstinence as of the peax, are conferrit to the arbitrament of the maist Christian King of France and Quenis Majestie of England, and promisis faithfullie upoun their honouris to accept and hald the conditionis concerning the peax and abstinence quhilkis thair Majesties sall propone unto thame; providing that the abstinence or pacificatioun that may follow thairupoun, on na wyise tuiche the King our Soverane Lord or his Estaitt, to the prejudice thairof; and that the personnis heirefter exceptit be subject to the judgement and executioun of the law, the said abstinence notwithstanding; thay ar to say, James sumtyme Erll Bothuile, James Ormistoun sumtyme of that Ilk, Patrick Hepburne sumtyme of Benestoun, Patrik Wilsoun sumtyme servand to the said Erll, James Hammiltoun sumtyme of Bothuilhauch, Johnne Hammiltoun sumtyme Provest of Bothuile, his broder,—with the haill thevis and brokin men, inhabitantes of the Bordouris and Hielandis, disturbares of the pub-

lique peax betuix this realme and England, and oppressouris of the peciable subjectis of this Realme; providing alwyise that sa mony of the saidis Bordoraris or Hielandmen as hes tane part with ony of the partiis be not during the abstinence persewit for thingis bipast of it, thay have done at the commandiment of ayther partie,—seing it is not meanit that ony of their faultis salbe coverit, bot only sic as have bene directlie done in the quarrell of ayther partie. Gif during the abstinence thay do wrang to ony man, it is accordit that for the same thay be punist as appertenis, and na impunitie is socht for thair attemptattis committit aganis England, bot it is understand that thay salbe answerable for the same conforme to the lawis of the Bordouris. And to the end that the subjectis of the Realme may find thameselffis presentlie sumthing dischargeit of the burding of the weir, and may with the grittar desyre embrace the peax quhen it sall pleise God to send it, it is agreit that during the said abstinence all the subjectis of this realme, of quhatsumevir qualitie or conditioun thay be of (except befoir exceptit), may frelie and liberallie traffique, hant, speik and converse togidder ower all the partes of the realme, un-troublit molestit orimpeschit, owther in body or guidis, be word or deid, in the law or besydis the law, for thingis past; and hes tane ilkane uther thair assisteris, partakeris and sic as dependis on thame mutually in utheris protectioun, mantening and conforting togidder faithfullie ane another aganis all the injurie that may be done be thame or ony that they promeise for, or be ony of thame that ar inimeis of the peax; mairower, to mak the meanis of the peax the mair facill,—and that be thair familiar communicatioun and conversatioun the hartis of thame that able hes bene offendit may be mollifiit and inducit to forgett thingis that ar past, be conference to be had amangis thame, and thairefter acknawlege that thai ar all memberis of ane body, being of ane cuntry and naturall Scottismen,—the conversatioun and communicatioun sall on na wyise be forbiddin to thame, bot permittit with all libertie ower all partes, places, townes and rowmes quhairever it may be, providing that the toun of Edinburgh be presentlie and first of all sett at sic libertie as it wes in befoir the King oure Soverane Lordis guidsire and late Regent departit furth of the same upoun the xxvii day of Januar 1570, and the castell thairof to be kepit with na grittar garnyson nor it wes at that tyme; as alsua all the other townis of this realme presentlie be sett at the like libertie and maid patent, sa that na place thairof salbe withaldin, fortifiit, or garnist, saulffing the Castellis and Fortressis that of all ancienitie and befoir thir troublis hes bene accustumat to be fortefeit and gardit; and that be this meane all men or thair servandis, without feir of men of weir or violence, may frelie enter and duell in thair awin houssis as sall pleis thame during the saidis trewis and abstinence. And for samekle as mony personis within this realme hes induring thir troublis seasit thame selffis in uther mennis landis, quhairupoun thair is presentlie fructis that may be collectit and win during the said abstinence, of the quhilk debate may follow that may stop or hinder the gude and haly effect that is to be hoipit of the said peax,—it is accordit and agret that thay quhilkis hes

the saidis landis sall not pleis to lift the saidis fructis, and specialie the cornis, bot sall leif the samyn stakkit in heip upon the feildis or in grange untuicheit or disponit upoun ony way quhill the end of the said abstinence. And for observatioun and fulfilling of all this abone specifeit, thay have oblist thame upoun thair faithis, honouris, and be thair solemnit aithis, and that thai sall gar the haill be kepit be thame selffis, thair adherentis, and partakeris with thame, lyke as at mair lenth is contenit in the severall letters interchangeably maid, deliverit and subscrivit heirupoun. Thairfor ordanis letters to be direct, to mak publicatioun heirof be oppin proclamatioun at the mercat croces of the heid burrowis of this realme and utheris places neidfull, that nane pretend ignorance of the same, and to command and charge all and sindrie his Hienes liegis inhabitantis of this realm; that thai and every ane of thame, observe and keip the said abstinence, and on na wyise presume or tak upoun to do or attemp ony thing tending to the violatioun thairof in ony sort, during the space above specifiit, under the pane of deid.

Apud Edinburgh, sexto Augusti, anno etc. lxxii°.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun.
Gulielmus Dominus de Ruthven.
Robertus Dominus de Boyd.
Allanus Dominus de Cathcart.
Robertus Commendatarius Dunfermling.
Clericus Registri.

Forsamekle as it is understand to my Lord Regentis Grace and Lordis of Secrete Counsall, that the plakkis cunyeit in the regnne of the Quene our Soverane Lordis moder, his Hienes guidame the Quene Dowarrer of gude memory then being Regent of this realme, bering in the circumscriptioun the dait of the yeir of God 1557, ar of late counterfaittit and adulterat, as alsua the silver money laitlie sett furth in half merk and fourty penny pecis, to the grit prejudice of his Majesties estate and to the grit harme of the commoun weill of the realme; and albeit proclamatioun past of befoir suspending the course and passage of the saidis plakkis bering the daitt of the yeir abonewrittin universalie quhill the nixt Parliament, nevirtheles the said proclamatioun hes not as yit takin full effect, mony pretending ignorance, that the same come not to thair knawlege; and thairfore that the grit inconvenient als weill of the ane as of the uther counterfaittit and adulterat money may safer as is possible be avoidit, my Lord Regentis Grace, with avise of the Lordis of Secrete Counsall, ordanis letters to be direct, chargeing all and sindrie oure Soverane Lordis liegis, that nane of thame tak upoun hand to offer or ressave in pament ony plakkis bering in the circumscriptioun the dait abone specifiit quhill the said nixt Parliament, under the pane of tressoun; and siclike that na maner of personis quhilkis hes silver to sell, cunyeit or uncunyeit, brocht furth of uther cuntreis or utherwyise, presume or tak upoun hand, be thame selffis or be mediat personnis, to sell, furneis, gif, or len, thair said silver or ony uther

mettall that may be cunyeit, to ony personnis or places quhair the said counterfaitt and adulterat money in half merk and fourtie penny pecis is cunyeit or salbe cunyeit to the hurt and prejudice of his Hienes estate, bot that thai offer the same and mak exchange thairof with the maister of his Hienes awin Cunyehouse or sic utheris as hes the manyment thairof, under the said pane of tressoun; and ordanis the Provest and Baillies of Edinburgh, and all utheris the Provest, Aldermen, and Baillies of the cieties and burrowis within this realme, and utheris officiaris thairof, to serche and seik the personis contravenaris or suspectit to contravene this present act and ordinance, and to put thame in firmance and captivitie quhill thay may be tryit according to justice and the lawis of this realme that thay have deservit.

Apud Striveling, xxvi die Augusti, anno, etc. lxxii°.

Anent our Soverane Lordis letters, makand mentioun: Forsamekle as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsall, that Andro Lord Stewart of Uchiltrie intendis to mak convocatioun of his kin and freindis for halding of courtis upoun the conjunct fe landis of Dame Margaret Cunynghame his spous, the relict of umquhile Johnne Wallace of Cragy that last deceissit; and on the uther part Johnne Wallace now of Cragy his sone intendis to mak the like convocatioun of his kin and freindis for stopping of the halding of the saidis courtis, quhairupoun grit trouble and inconvenientis may arryise in the commoun weill of this realme gif tymous remeid be not providit. And anent the charge gevin to the saidis Andro Lord Stewart of Uchiltrie, and Johne Wallace of Cragy, that thai nor nane of thame sould tak upoun hand to mak convocatioun of our Soverane Lordis lieges, or tak on armes for halding of the saidis courtis, or stopping or impeding of the same to be haldin, bot alluterlie to desist and ceise thairfra under the pane to be repute and haldin as perturbaris of the peax and commoun quietnes of this realme, and to be callit and accusit for the samyn at particular dyettis or generall justice airis, and punist according to the lawis of this realme with all rigour, in exemple of utheris. And als anent the charge gevin to the saidis Andro Lord Stewart of Uchiltrie and Johnne Wallace of Cragy, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to answer to sic thingis as sould be inquirit of thame, and to underly sic ordour and directioun as sould be gevin unto thame tuitcheing the commoun quietnes of this realme—specialie of the cuntrie quhair thai duell—under the pane of rebellioun and putting of thame to the horne; and gif thai failyeit thairin, the said day being bipast, to denunce the dissobeyaris rebellis and put thame to the horne, and escheat and inbring all thair movable guidis to his use, for thair contemptioun, as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof; quhilkis being oftymes callit, and the said Andro Lord Stewart of Uchiltrie, as alsua the said Dame Margaret Cunynghame his spous, having speciall interes in

the mater, comperand bayth personalie, and offerit thame selffis reddy to answer and underly sic ordour and directioun as sould be gevin in unto thame; and the said Johnne Wallace of Cragy being oftymes [callit] and not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct to officiaris of armes, shereffis in that pārt, chargeing thame to pas and denunce the said Johnne Wallace our Soverane Lordis rebell and put him to the horne, and eschete and inbring all his movable guidis to his Majesties use, for his contemptioun, efter the forme and tennour of the saidis letters.

Apud Striveling, penultimo die mensis Augusti, anno Domini j^{m}v^{c}lxxii.

The quhilk day my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis and commandis James Watsoun in Sauchtounhall and George Wilkie thair, to teind, gadder, leid and place the teind schaves of Sauchtounhall, of the crope and yeir instant, in the stak yard usit and wount, upoun the expenssis of the same; thair to remane unintromettit with be Adam Bischope of Orkney Commendatar of Halyrudhouse, or Thomas Dowglas, or ony in thair names, ay and quhill it be decidit be the Lordis of Counsall and Sessioun to quhome the same and titill thairof justlie appertenis; and ordanis ane officiar of armes to pas and mak intimatioun of the premissis to the said Adam Bischope of Orknay and Thomas Dowglas, sua that nane of [thame] pretend ignorance thairof nor attempt ony thing incontrair the tennour of the samyn.

Apud Striveling, quarto die mensis Septembris, anno Domini j^{m}v^{c}lxxii.

Sederunt—

Joannes Dominus Regens.	Clericus Registri.
Allanus Dominus de Cathcart.	Clericus Justiciarie.

Anent our Soverane Lordis letters makand mentioun: Forsamekle as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsall, that Robert Ker of Kerrisland, with utheris his complices to the nowmer of ane hundreth personis or thairby, bodin in feir of weir, upoun the xxiii day of August last bipast, come to the landis of Craig of Neilstoun, and thair not only spuilyeit and tuik away furth of the samyn xxvi ky and twa meiris pertening to Margaret Lauchlane and Thomas Stevinsoun hir sone, bot als hurt and dang thame and diverse utheris personnis being upoun the saidis landis, alsweill wemen as men, with battonis and siclike, schott hagbuttis and daggis for thair slauchter, in and manifest contemptioun of our Soverane Lord his auctoritie and lawis, and to the evill exempill of utheris to do the like gif this be sufferit to remane unpunist; and anent the charge gevin to the said Robert to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to

answer to the said complaint, and to underly sic uther ordour as salbe imputt to him for the weill and quietnes of the cuntrie, under the pane of rebellioun and putting of him to the horne; and gif he failyeit thairin, to denunce him rebell and put him to the horne, and to eschete and inbring all his movable guidis to oure Soverane Lordis use for his contemptioun, as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof; quhilkis being oftymes callit and the said Robert not comperand, he being chargeit personalie, apprehendit be David Craik messinger, as his indorsatioun beris,—quhairin mentioun is maid that the said Robert Ker of Kerrisland not only boistit and minassit the said David for using of the said charge be virtew of the saidis letters, sayand he wes ower part to use the same upoun him,—bot als dang and straik diverse of the witnessis present with him to the effusion of thair blude in grit quantitie and left thame for deid; quhairfor, my Lord Regentis [Grace], with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Robert Ker yit as of befoir, to compeir personalie befoir thair Lordships upoun the xi day of September instant, to answer to the complaint and contempt abone-writtin, under the pane of rebellioun, etc., with certificatioun to him and he failye, the said day being bipast, he sall incontinent thairefter be denuncit oure Soverane Lordis rebell, etc., and all his movable gudis escheit, etc., efter the forme and tennour of the saidis letters.

Apud Striveling, quinto die mensis Septembris, anno Domini j^{m}v^{c}lxxii.

Anent our Soverane Lordis letters purchest be the Baillies and Counsall of Dunde, makand mentioun;—that quhair upoun the xxv day of August last bipast sindrie of thair nichtbouris, induellaris of the said toun, returnand from Barthilmo Fair, belevand na evill of ony persoun or personnis bot to have levit under Godis peax and oure Soverane Lordis as his Hienes fre liegis; notwithstanding George Commendatar of Abirbrothok, accumpanyit with a grit nowmer of hagbuttaris and utheris personnis bodin in feir of weir, at the fute and end of Carnomouth, come and tuik perforce certane of the inhabitantis thairof as presoneris, videlicet, Robert Jak, David Jak, Thomas Rattray, Rattray his sone, and Johnne Craigtoun, with sindrie thair guidis and geir, and had and careit thame away to Abirbrothok, and thair detenit thame as presoneris quhill thai wer constrenit to find cautioun, ilk ane of thame under the pane of twa hundrith merkis, that thay sould enter agane as thay sould be requirit upoun thre dayis warning; and yit the said Commendatar, not content of this wrang and injurie committit be him, upoun the xxviii day of the same moneth, come to Erne mouth, betuix Dunde and Sanct Johnnstoun, bodin and accumpanyit in maner foirsaid, and thair perforce tuik ane boit ladin with sindrie merchandis guidis of Dunde, beand passand to St. Johnstoun to the mercat or fair callit Sanct Johnnis Fair, had and cariit the same away with him, and yit hes the guidis in his handis and keping to the valu of v or vi^{m} merkis, quhairthrow the awnaris thairof ar alluterlie hereit, the same being the maist part of the guidis thay had to win the leving and sustentatioun of thame selffis, thair wyffis

and childring; and attoure, chasit sindrie utheris boittis beand alsua passand up the same watter, schott hagbuttis and daggis at the personnis being thairin, and hes hurt Williame Gold alias Withytan and diverse utheris to the effusioun of thair blude in grit quantitie; and yit dalie and continewallie awaittis alsweill for thair slauchteris as for forder spuilyeing and reving of thair guidis and geir, in hie and manifest contemptioun of oure Soverane Lord his auctoritie and lawis, and to the evill exempill of utheris to do the like gif this be sufferit to remane unpunist. And anent the charge gevin to the said Commendatar, to deliver the saidis guidis and geir intromettit with be him and his complices at his command as said is to ony ane of the awnaris of the samin havand commissioun of the rest within xxiiii houris nixt efter the charge; or ellis to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall, this day—as the thrid day efter the charge, and answer to this complaint, and als to underly sic uther ordour as sould be imput to him for the weill and quietness of the cuntrie, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, the said day being bipast, letters sould be direct simpliciter to put him to the horne, and to eschete and inbring all his movable guidis to our Soverane Lordis use, for his contemptioun, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof; the saidis Baillies and Counsall of Dunde comperand be Maister James Halyburtoun thair Provest, and Peter Clayhillis ane of the Burgessis of the samyn, and the said Commendatare being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to denunce the said Commendatar our Soverane Lordis rebell and put him to the horne, and to eschete, etc., efter the forme and tennour of the saidis letters.

Apud Striveling, xiii° Septembris, anno Domini j^{m}v^{c}lxxii.

Sederunt—

Joannes Dominus Regens.	Clericus Registri.
Willelmus Dominus de Ruthven.	Clericus Justiciarie.

Anent our Soverane Lordis letters raisit at the instance of Duncane Weir in Staneburne, makand mentioun;—that quhair Williame Twedy, under cullour of ane pretendit gift of his eschete, throw his allegeit convictioun befoir the Justice and his deputtis, for the allegeit productioun befoir the Lordis of Counsall, and using, of ane indorsatioun of letters of poynding rasit at the instance of the said Duncane upoun the said William, as fals and fenyeit in the self be him self, Roger Twedy his broder, tua of his sonnis, Johnne Grahame broder to Robert Grahame of Slipperfeild, James Watsoun—with thair complices to the nowmer of uther aucht personnis—bodin in feir of weir, upon the first day of Junii last bipast, come to the

said Duncanis duelling hous of Staneburne, and thair spuilyeit furth thairof tua pair of schetis, thre sarkis, collaris, curcheis, tua Jedburgh stalffis, and, of the ground of the saidis landis sevin ky and ane meir; and reft the same away, and as yit withhaldis the saidis guidis wranguslie; and als the said William, and Johne Twedy Tutour of Drummelyear, with thair complices, of the causing command assistence and ratihabitioun of the said Williame, upoun the xxvi day of August last bipast, wranguslie spuilyeit and awaytuik fra the said Duncane, furth of Wester Kincaidyeoch, xiii heid of nolt, with ane meir pertening to him as his awin proper guidis, and being in his possessioun thairupoun, quhilkis thai in likemaner wranguslie withhaldis fra him albeit that the saidis of Counsall—upoun his supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsall, quha referit the interpretatioun of the same to the saidis Lordis of Sessioun—hes declarit that the said Duncane incurrit not the pane of crimen falsi, nor yit that the saidis guidis suld cum under escheit, as the said interpretatioun in forme of decreit subscrivit be the Clerk of Register schawin to the saidis Lordis beris; nottheles the said Williame and Johnne Twedeis and thair complices hes continewallie sensyne withhaldin and as yit withhaldis the said Duncanis guidis and geir, and refuissis to restoir and deliver thame agane to him, notwithstanding the referring interpretatioun and declaratioun foirsaid, quhilk in effect is ane decreit of my Lord Regentis Grace and Lordis of Secreit Counsall, and aucht to have summar executioun, or utherwise the said Duncane wilbe utterlie hereit without his Grace and Counsall provide remeid thairto. And anent the charge—gevin to the saidis Johne and Williame Twedyis, Roger Twedie broder to the said Williame, Johnne Grahame in Slipperfeild, Symon Twedy and Adam Twedy sonnis to the said Roger,—to restoir and deliver the said cattell and guidis agane to the said Duncane Weir als gude as thai war the tyme of the spoliatioun thairof, and to his possessioun, ground and place that the samyn wer spuilyeit and takin fra, to be usit and disponit be him as his awin propir geir in tyme cuming, within xxiiii houris nixt efter the charge, under the pane of rebellioun and putting of thame to the horne; or ellis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, and schaw ane ressonable caus quhy the same suld not be done; with certificatioun to thame and thai failye, letters suld be direct simpliciter to put thame to the horne; lyke as at mair lenth is contenit in the saidis letteris, executioun and indorsatioun thairof.—The said Duncane Weir persewar, and the said William Twedy ane of the defendaris, comperand bayth personalie, and the remanent personis abonewrittin being oftymes callit and not comperand; the said Williame Twedy allegeit him to have the gift of the said Duncanis escheit guidis, and thairupoun obtenit letters be deliverance of the saidis Lordis of Sessioun for intrometting and uptaking of the samyn, lyke as at mair lenth is contenit in the saidis letters, be virtew of the saidis letters, he causit poynd a part of the saidis guidis libellit, contenit in the indorsatioun of the saidis letters, quhilkis war schawin and producit befoir my Lordis Regentis Grace and

Counsall; and thairfore allegeit him to have done na wrang. Quhilkis with diverse utheris his allegationis being hard sene and considerit be his Grace and Counsall, and thai ryplie avisit thairwith; my Lord Regentis Grace, with avise of the saidis Lordis, remittis the said matter to be decidit befoir the Lordis of Counsall and Sessioun, ordinand thame to proceid and do justice thairin, conforme to the lawis of this realme, and in the meintyme quhill the end and decisioun thairof, hes dischargeit and dischargeis all officiaris of putting of the saidis letters to forther executioun and of thair offices in that part.

[Robert Ker of Kerrisland and Hew Dunlop of Craufeild having been cited to answer for the spuilye and injury above referred to[1]] the said Hew Dunlop comperand personalie, allegeit him to be fewar of the saidis landis of Craig and Neilstoun, and that be virtew of his infeftment, and precept of poinding schawin and producit afoir my Lord Regentis [Grace] and Counsall, he causit poynd and appryise twa mearis and a kow, as for the last thre termes awand to him, extending to xx ℔.; and attour declarit that Johnne Maklessillis officiar, be virtew of ane precept of Archibald Erll of Ergile Lord Campbell and Lorne, etc., poindit xxv of the saidis nolt, quhilkis alsua wer in the saidis Hewis handis and keping, deliverit to him be the said Johne, and wes content to deliver thame agane with the uther guidis poindit be him to the saidis Margaret and Thomas,—thay deliverand to him the said sowme of xx ℔. as for the saidis thre termes, but prejudice of his richt or the richt and titill of the said Archibald Erll of Ergile. Quhilkis with diverse utheris his richtis, ressonis and allegationis schawin and producit befoir my said Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith; my Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Hew Dunlop of his awin consent to rander and deliver the saidis haill guidis agane to the said Margaret and Thomas hir sone betuix and Fryday nixt the xx day of September instant, thay deliverand to him at the same tyme the said sowme of xx ℔., as for the saidis thre termes, but prejudice alwyise of his richt and titill or to the richt and titill of the said Erll of Ergile, or yit to the said Margaret and utheris tenentis of the saidis landis to call and persew for double poynding, as accordis of the law.

Apud Striveling, xvi die mensis Septembris, anno Domini j^{m}v^{c}lxxii^{o}.

My Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis and commandis the Provest Baillies and Counsall of Linlithgow, to mak pament to Capitane Andro Lamby or his officiaris in his name, oulklie upoun the Fryday at evin, of the sowme of ten pundis money of this realme, and that for sustening of the chargeis and expenssis of xxiiii suldartis appointit for keping of the said palace of Linlithgow, begynand the first oulk upoun Monunday nixt the xxii of this instant; and siclike

[1] P. 162, 4 Sept. 1572.

to burde and loft the steeple of Linlithgow with sic diligence as may be, as thai will answer upoun thair obedience and allegeance to oure Soverane Lord; and for thair releif, that thai stent the haill inhabitantis of the said toun and appoint a collectour for uptaking of the samyn and pament thairof oulklie to the said Capitane as said is; and in caise ony of the saidis inhabitantis refuisis to beir burding with his nichtbouris in pament making of the said taxt, that the saidis Provest and Baillies notifie thair names to my Lord Regentis Grace and Counsall, that ordour may be takin with thame as appertenis.

Apud Edinburgh, secundo Octobris, anno Domini j^{m}v^{c}lxxii.

Sederunt—

Joannes Dominus Regens.
Jacobus Comes de Mortoun.
Archibaldus Comes Argadiæ.
Joannes Comes de Montroise.
Alexander Comes Glencarne.
Willielmus Dominus Ruthven.
Adam Orchadensis Episcopus.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.

[Paull Cunynghame admits that the late Henry Lord Methven did not owe him money, whereupon Williame Lord Ruthven, tutor of Henry now Lord Methven, asked instruments.

Paull protests that his admission would not prejudice his rights to certain lands disponed to him by the late Henry Lord Methven.

Paull declares that he would abide by the two seisins of the lands of Kerse of Methven, and town of Sauchope, and Deneburne of the same, both dated 8th January 1571, and signed by James Fleming "notar;" whereupon Mr. Robert Creichtoun of Eliok, King's "advocat," asked instruments.

Johnne Cuninghame of Glengarnok confessed that the blank parchment sealed and subscribed by late Henry Lord Methven and now shown, was that found by him in a bonnet-case brought to him by his son John Cunynghame, and delivered by him to Robert Cuninghame, brother of the said Paull; and that he delivered a blank parchment sealed and subscribed by the said Lord Methven, his relict, and that it was not in the said bonnet-case.

Paull admitted that the memorial of the following debts of his master Lord Methven, which he the said Paull undertook to pay, was in his own handwriting: To David Horne £328; to Williame Michell £300; to the Provest of Methven £34; to Patrik Lindesay £20; to Patrik Gardiner £26; to Robert M^{c}Cuir £104; to James Oliphant, burgess of Edinburgh, £80; these and other small debts Barthe Quhyte and the said Paull, being my Lord Methven's Chamberlains, became obliged to pay.

The said Paull promised to give reversion upon the lands of Westwod of Methven.

Johnne Cuninghame of Glengarnok becomes surety for the said Paull that he shall account to Williame Lord Ruthven for his intromissions with the rents of the late Henry Lord Methven.]

Apud Edinburgh, tertio die mensis Octobris, anno Domini j^{m}v^{c}lxxii.

Forsamekle as be supplicatioun it is humilie menit and exponit to my Lord Regentis Grace and Lordis of the Kingis Majesties Privie Counsall, be the baronnis, gentilmen and utheris professouris of Christis evangell presentlie convenit in Edinburgh, that in respect of the grit murtheris and mair then beistlie crewelteis usit and put in executioun in diverse partis of Europe aganis the trew Christianis within the same, proceidit na doubt out of that unhappy devillishe and terrible Counsall of Trent, and pretendit not only to be execute in foreyn cuntreis quhair ayther thair power or tressoun may avale, bot alsua intendit to be prosequute and followit furth with the like or gretar creweltie, gif it war possible, aganis the trew Christianis heir in this realme of Scotland, and ower all quhair ellis, quhair ever Christis evangell is sinceirlie professit;—maist humilie requyring the apparent danger to be foirsene and providit for, willinglie offering thame selffis and all that thai haif to the furtherance of the same, quhairthrow the wickit interpryses and divises of the malicious and bludy papistis and childrene of this warld—quhilkis in thair kynde ar mair busy and subtill nor the childrene of God—may with Godis help be preventit and resistit. My Lord Regentis Grace and Lordis foirsaidis, considering the equitie and necessitie of the said supplicatioun, ordanis letters to be direct, chargeing all and sindrie our Soverane Lordis subjectis, professouris of Christis evangell, of all the reformit Kirkis within this realme, be oppin proclamatioun at the mercat croces of the Heid Burrowis of the same, in the paroche kirkis and utheris places neidfull,—that thay, and every particular kirk be thame selff, send and direct thair commissioneris sufficientlie authorizit,—ane or ma, according to the qualitie and quantitie of the personis and rowme,—to the burgh of Edinburgh—or quhair my Lord Regentis Grace salbe for the tyme—the twentie day of October instant, to consult advise and deliberat, upoun sic materis and overtures as may be proponit to my Lord Regentis Grace and our Soverane Lordis Previe Counsall foirsaid, tending to the preventing, resisting, and mutuall defence of the professouris of Christis evangell within this realme, fra the furious rage and lawles creweltie of the bludy and tressonable papistis, executouris of the decreis of the said devillische and terrible Counsall of Trent; and in sic thingis further as may advance Godis glorie and trew religioun foirsaid, as everie reformit Kirk will thairby declair thair ernist and Christiane affectioun to the same in sa present perrell and commoun danger; grantand alsua full libertie, licence, protectioun, and assurance, to all Commissioneris of kirkis quhair evir thai duell in ony partis of this realme, howsoevir in tyme bigane thai have bene inobedient to his Hienes auctoritie, that thai may saulflie and frelie hant and resort and cum to the day and place

appointit, and thair remane during the tyme of the Conventioun to be kepit for this purpoise, quhair alsua thai salbe admittit to have frie speche and vote, and to returne at thair plesoure to thair duelling places without stop, trouble, arreist, serche or impediment to be maid to thame in bodyis or guidis, for the space of fyvetene dayis efter the said twentie day of October, including alsua the tyme of thair travell preceding the said twentie day; certifeing all sic as sall requyre particular licences and assurances for this effect, that upoun thair desyre the same salbe grantit to thame, commanding all our Soverane Lordis officiaris, liegis, and subdittis, that nane of thame tak upoun to violat this present licence protectioun and assurance, under all hieast pane, charge and offence, that thai and every ane of thame may committ and inrin aganis his Majestie in that part.

Apud Edinburgh, quarto Octobris, anno Domini j^{m}v^{c}lxxii.

Anent our Soverane Lordis letters direct, makand mentioun.—Forsamekle as my Lord Regentis Grace, understanding that Capitane David Moncur, Alexander Patersoun burges of Dunde, and certane utheris men of weir being laitlie ane yeir syne or thairby reterit fra the partis of Denmark quhair thay had servit under wagis to the toun of London in England, wer than destitute of silver to mak thair expenssis; and thairfore the said Capitane David, having respect to thair interteniment, convenit with ane honest man in the said toun, quha tuik him only oblist thairfor and he thairefter for his releif, as alsua for releif of the said Alexander, quha wes then present with him, in cumpany directit the said Alexander thairfore to the said burgh of Dunde, to obtene samekle silver as wald releif his band for the commoditie of thame baith; quha afoir Yule last bipast come to the said burgh of Dunde, and hes sensyne ressavit the sowme of ane hundrith pundis money of this realme pertening to the said Capitane David, quhilk suld have bene careit to him be the said Alexander for his releif befoir the Feist of Candilmes last bipast. And albeit the said Alexander had than or sone thairefter ressavit the said sowme, and that throw his default throw non-carying or sending thairof to the said Capitane David he is haldin in presone to his grit disconfort and skaith; nottheles the said Alexander on na wayis will cary or send the foirsaid sowme to the said Capitane David, nor yit deliver the samin to his spous—to be send to him for his releif furth of captivitie and ward, quhair he presentlie remanis, as said is,—without he be compellit. And anent the charge gevin to the said Alexander Patersoun, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, bringand with him the foirsaid sowme of ane hundrith pundis, and to heir and se ordour takin thairanent as appertenis, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit he sould be denunceit rebell and put to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, Andro Annand maser

comperand personalie and in name and behalf of the said Alexander offerit delivery of the said sowme, according to the commandiment and ordinance of my said Lord Regentis Grace and Counsale, cautioun being fund that the same salbe sufficient discharge to the said Alexander at the handis of the said Capitane David. The Lordis of Secreit Counsale decernis and ordanis the said Andro Annand maser to deliver the said sowme of ane hundrith pundis to Maribell Pyott spous to the said Capitane David in his name, becaus Adam Fullartoun burges of Edinburgh become caution and souirtie that the delivery of the samyn in maner foirsaid sould be sufficient discharge to the said Alexander at the handis of the said Capitane David, without prejudice alwayis to him to call and persew the said Alexander for coistis and expenssis sustenit be him throw detening of the said sowme sa lang in his handis, or yit to the said Alexander to use his defenssis as accordis of the law; and Williame Lord Ruthven obleist him to releif the said Adam Fullartoun of the premissis and of all pane and dangeare that he sal happin to sustene thairthrow.

The Buke of the Actis of Secrete [Counsell] in the Governament of the Erll [of Morton] begynnand in November.

Apud Edinburgh, vigesimo quarto die mensis Novembris, anno Domini millesimo quingentesimo septuagesimo secundo.

Process of acceptatioun of the Regiment.

The quhilk day, the estaittis and utheris abonewrittin being convenit in Counsale, enterit in deliberatioun toward the present estate of the realme now being destitute of a governour, throw the deceis of umquhile Johnne Erll of Mar. [The sittings thus initiated were concluded next day, the 25th of November. The whole minute of proceedings will be found in the Appendix to the Record edition of the Statutes.][1]

Apud Edinburgh, xxv Novembris, anno, etc. lxxii°.

Mr. Archibald Dowglas to be tryit.

The quhilk day, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, hes fund expedient and declaris that Maister Archibald Dowglas now remaning in ward within the Castell of Striveling salbe tryit for the crymes and offences that he is delaitit and suspectit of; and to that effect, ordanis ane commissioun to be maid to the Justice Clerk, to Alexander Erskin of Gogar, Robert Drummond of Carnok, Maister James Halieburtoun Provest of Dunde, and Johnne Craigingilt of that Ilk, Provest of Striveling, conjunctlie or severalie.

Apud Edinburgh, nono Decembris, anno, etc. lxxii°.

Sederunt—

Jacobus Dominus Regens.	Adam Episcopus Orchadensis.
Archibaldus Comes Ergadie Cancellarius.	Robertus Commendatarius Dunfermling.
Willelmus Dominus Ruthven.	Clericus Registri.
Patricius Dominus Lindesay.	Clericus Justiciarie.

Proclamatioun to be in reddines.

Forsamekle as my Lord Regentis Grace and Lordis of Secreit Counsale, considering how, be the lait troubles that hes occurrit within this realme, the brydill hes bene lowsit to all wickit personis, and the peciabill and gude subjectis oft and diverse tymes spuilyeit heriit and oppressit, to the greit hurt of the commoun weill of this realme gif remeid be not providit in tyme; quhairfoir my Lord Regentis Grace myndis to tak the feildis for advancement of the Kingis authoritie and service, establissing of justice, and reduceing of all thingis to ane gude estate of quietnes. For quhilk purpois it is necessar that he be weill and substantiouslie accumpaneit with oure Soverane Lordis gude subjectis; and thairfoir, ordanis lettres to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas to the marcat croces of the Heid Burrowis and townis of this realme, and thair, be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindry his Hienes liegis betuix sextie and sextene yeris, and utheris fensabill personis, dwelland within the boundis of the Sherefdomes, Stewartreis, and Baillieries of this Realme, alsweill to

[1] Act Parl. Scot., vol. iii. p. 77, *et seq.*

burgh as to land, regalitie as rialtie, that thay and ilkane of thame prepair thameselffis and be in reddines, weill bodin in feir of weir, to meit my Lord Regentis Grace, with fourty dayis victuallis and provisioun, at sic place and tyme as thay sall ressave advertisement be new proclamatioun, upoun ten dayis warning; and swa to pas furthwart and serve as thay salbe commandit during the said space of fourty dayis, under the pane of tinsell of lyff, landis and gudis.

Apud Edinburgh, xvi Decembris, anno, etc. lxxii°.

Charge on the Erle of Cassillis and Sheriff of Air.

Forsamekill as it hes bene humelie menit and schawin be my Lord Regentis Grace and Lordis of Secreit Counsale, that albeit Gilbert Erll of Cassillis Baillie of Carrik, and Mathow Campbell of Lowdoun knycht, Sheref of Air, hes bene oft and diverse tymes chargeit to mak payment of thair few males of certane landis of oure Soverane Lordis propirtie awand be thame of sindry termis bigane, as alsua wer dischargeit be vertew of his Hienes utheris letters, of all halding of Baillie Courtis or Sheref Courtis be thame selffis or thair deputtis, for ressonabill caussis and considerationis specifiit in the lettres direct thairupoun; yit have thay centempnandlie dissobeyit, lyke as alswa Johnne Wallace of Dundonald, Johnne Stewart of Mynto knycht, Hew Erll of Eglintoun, Sir Andro Ker of Hirsell knycht, Alexander Hume of Manderstoun, etc., being lykewyis chargeit to mak payment of thair few males and utheris rentis of diverse landis of oure Soverane Lordis propirtie awand be thame of sindry termis bigane, thay being Chalmerlanis or heretabill fewaris of the same, hes lykewyis contempnandlie dissobeyit, gevand evill exempill to utheris to do the lyke. Thairfoir ordanis lettres to be direct, to charge all the saidis personis to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale the xii day of Januare nix to cum, to answer upoun thair dissobedience and contempt abone writtin, and to underly sic ordour as salbe takin thairfoir, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, the said day being bipast, thay sall incontinent thaireftir be denunceit rebellis and put to the horne, and all thair movabill gudis eschetit and inbrocht, etc.

Apud Edinburgh, xxi Decembris, anno, etc. lxxii°.

Sederunt—

Jacobus Dominus Regens.	Robertus Dominus Boyd.
Archibaldus Comes Ergadie Cancellarius.	Andreas Dominus Uchiltre.
	Allanus Dominus Cathcart.
Joannes Comes de Montroise.	Episcopus Sanctiandree.
Alexander Comes de Glencarne.	Episcopus Orchadensis.
Robertus Comes de Buchane.	Commendatarius Dunfermling.
Joannes Dominus Glammis.	Clericus Registri.
Willelmus Dominus Ruthven.	Clericus Justiciarie.

That nane persew thame that wer in Edinburgh in the troublis.

Forsamekill as it is not unknawin to all the gude and peciabill subjectis of this realme, quhat cair and travellis have bene takin be oure Soverane

Lordis Regentis of gude memory with the nobill men and utheris gude subjectis professing his Hienes obedience in the defence of his Majesteis innocent persoun and aut[horitie], and to set this burgh of Edinburgh at fredome out of the lait miserabill thra[ldome] and oppressioun thairof,—quhairthrow the cours of justice mycht the bettir proceid to the universall benefite of the haill realme, and that all honest men and lauboraris inhabitantis of this burgh, eftir thair langsum and skaythfull troublis mycht find repose to thame selffis, thair wyffis, bairnis and familie; to quhilk end our Soverane Lordis present Regent, intending to direct all his actionis—howsoevir it may happin eftir the outrynning of the present abstinence the dissobedience of sum to continew and troubill to be renewit in thair defalt unto quhome na honorabill and gude peace is tollerabill; yit his Grace willing to forbid and repres all occasioun of violence and tumult within the said burgh quhair his Grace alwayis meanys to mak his awin principall residence, and that the seitt and cours of justice sall hald fordwart and proceid and the politik governance of the toun on na wayis to be impedit or interruptit; thairfoir ordanis lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croce of the burgh of Edinburgh, and thair, be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindry his Hienes liegis alsweill men of weare as utheris, that nane of thame tak upoun hand unordourlie, violentlie, and be way of deid, to invaid, molest, or persew the personis quhatsumevir inhabitantis of the said burgh quhilkis remanit within the samyn during the tyme of the lait troubles, or yit to mell or intromet with thair bodiis, gudis, or geir, under the pane of deid, with certificatioun to thame that failyeis herein, the said pane of deid salbe execute upoun thame with all rigour in exempill of utheris.

Apud Edinburgh, xxvi Decembris, anno, etc. lxxii°.

Caution for Northberwik.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, Alexander Hume of Northberwickmanys become cautioner and souertie for Johnne Allan, Hew Baillie, Robert Oliver, Johnne Swan, Johnne Spens, James Stevensoun, Thomas Carrik, Adam Gottirsoun, and Thomas Lawder indwellar of Northberwik, that thay sall entir thair personis in ward within the toun of Dunbartane upoun the first day of Februare nix to cum, thair to remane upoun thair awin expenssis ay and quhill thay be fred and relevit be his Grace, or utherwayis satisfie his Grace in the mene tyme, anent the offence committit be thame in letting of Gilbert Gray to libertie eftir he wes committit to thame in keping be the said Alexander Hume, upoun commandiment gevin to him be my said Lord Regent; ilkane of the saidis personis under the pane of fyve hundrith merkis; and thay obleist thame to releif thair saidis cautionar of the premissis, etc.

Apud Edinburgh, ultimo Decembris, anno, etc. lxxii°.

Caution for Johnne Carkettill.

The quhilk day, Robert Hepburne of Stevinstoun, ressavit of my Lord Regentis Grace ane licence for Johnne Carkettill of Marcle, to cum furth of the Castell of Edinburgh and remane at libertie for the space of aucht dayis, to the effect that he in the menetyme may caus procure and laubour to help and releif him self out of cummer; thairfoir the said Robert Hepburne band and obleist him, that in caise the said Johnne Carkettill satisfie not my Lord Regentis Grace and sic as he is indettit to of the sowmes awand be him within the saidis aucht dayis, that than befoir the outrynning thairof the said Robert sall entir the said Johnne Carkettill to the said Lord Regent in sic place as he sall appoint, under the pane of ane thowsand markis.

Apud Edinburgh, octavo die mensis Januarii, anno, etc. lxxii°.

Caution for Sir James Balfour and his brethir.

The quhilk day, Sir James Balfour of Pettindreich knycht, Gilbert Balfour of Westray, and Robert Balfour brethir, grantit thame upoun thair humble submissioun to have ressavit oure Soverane Lordis pardoun and remissioun, for certane crymes of tressoun, lese majestie, and utheris specifiit in the said remissioun, of the dait day of , as alsua his Hienes rehabilitatioun to all and sindry thair landis, heretages, possessionis and gudis movabill, with restitutioun and reintegratioun to thair gude fame and wardlie honouris, as in the same remissioun and rehabilitatioun at mair lenth is contenit. Thairfoir the saidis Sir James, Gilbert, and Robert Balfouris, hes gevin the confessioun of thair faithis and promeist to continew in professioun of the trew religioun in tyme cuming; and that thay sall at the uttirmest of thair poweris, manteine fortifie and assist the trew precheouris and professouris of Chrystis religioun, aganis quhatsumevir ennemeis or ganestandaris of the same; and namelie aganis all sic, of quhatsumevir natioun estate or degree thay be of, that hes bund and joynit thame selffis, or hes assistit or assistis to set furthwart and execute the Counsale, decreittis of the Counsall of Trent, quhilk maist injuriouslie is callit be the adversaires of Goddis trewth, the haly league, contrair the precheouris and trew professouris of the Word of God. As alsua the said Sir James Balfour, Gilbert Balfour, and Robert Balfour, brether, hes promeist and sworne upoun thair faythis to continew trew and obedient subjectis to oure Soverane Lord, his Regent and authoritie, and that thay sall not beir armes in thair contrair, nor intercommoun with ony liegis within the realme or without, professand ony uther authoritie than his Hienes, without licence of the Regentis Grace; quhilk being notourlie knawin and sufficientlie tryit according to the lawis of this realme, the saidis personis and thair souerteis underwrittin, sall incur the panis following; and in lykemaner thay grantit and confessit that all thingis done or assistit unto be thame, in name or be cullour of ony uther authoritie, sen the coronatioun of

oure said Soverane Lord, aganis ony that professit his Hienes obedience for the tyme, hes bene and is of na strenth, force nor effect; and sal haif na kynd of executioun for ony tyme bigane or to cum. And for fulfilling and observatioun of all and sindry the premissis, the saidis Sir James, Gilbert, and Robert as principallis, and Michell Balfour of Burlie and Michell Balfour fear of Monquhany as cautionaris and souerteis for thame conjunctlie and severalie, ar becum bund and obleist under the pane of ten thowsand merkis; and the saidis Sir James, Gilbert, and Robert obleist thame to releif thair saidis souerteis of this present obligatioun, and of all pane and dangeare that may incur thairthrow; and this present Act, during the will of oure Soverane Lord and his said Regent to induir.

Apud Edinburgh, xii Januarii, anno, etc. lxxii°.

Williame Hoppringle denunceit.

The quhilk day, anent the charge gevin be vertew of oure Soverane Lordis lettres to Williame Hoppringill in Wolhousbyre, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to answer to sic thingis as sould be laid to his charge at his cuming, under the pane of rebellioun and putting of him to the horne; and gif he failyeit thairin, to denunce him rebell and put him to the horne, and to escheit, etc., lyke as at mair lenth is contenit in the saidis lettres, executioun and indorsatioun thairof; quhilkis being oftymes callit and the said Williame not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis ane herauld or officiar of armes to pas and denunce him oure Soverane Lordis rebell and put him to the horne, and to escheit, etc.

Apud Edinburgh, xiiii Januarii, anno, etc. lxxii°.

Caution for Robert Ker of Wodheid.

The quhilk day, Robert Ker of Wodheid as principall, and Williame Lord Hay of Yeistir as cautionar and souirtie for him, ar becum actit and obleist, conjunctlie and severalie, that the said Robert, his bairnis tenentis and servandis (his eldest sone Williame Ker exceptit) sall continew trew and obedient subjectis to oure Soverane Lord and his authoritie in tyme cuming; that thay sall freith and releif his Hienes and his Wardane for sic attemptattis as thay salbe fylit of aganis the peace; that the said Robertis hous of Ancrum salbe patent for the refuge and succour of the Kingis Majesteis subjectis professing his authoritie in caise thay be persewit or in dangeare; that nane of his Hienes declairit traitouris or rebellis salbe resset thairin, nor yit utherwayis resset, suppleit or intercommonit with be the said Robert, his bairnis, servandis and tenentis foirsaidis, of his command or knawlege; and als that the said Robertis hous of Ancrum foirsaid salbe randerit and deliverit to our Soverane Lord, his Regent and authoritie, quhenevir the samyn salbe requirit upoun xlviii houris warning, under the pane of fyve thowsand markis; and the said Robert Ker obleist himself to releif the said Williame Lord Hay of Yeistir of the said souirtie and of all pane and dangeare that he sal happin to sustain thairthrow.

Apud Edinburgh, vigesimo Januarii, anno, etc. lxxii°.

Ordour anent officiaris of armes.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsale, understanding that mony enormiteis now being in the office of armes, throw the multitude of unlauchfull and insufficient personis berand and exerceand the office of armes, of quhilkis sum ar of lang tyme bigane deposit, sum be Act of Parliament declarit to have tynt and forfaltit thair offices and during the troublis past hes borne armes and schawin thame selffis contrarious to the authoritie of oure Soverane Lord. Thairfoir ordanis lettres to be direct, chargeing all and sindry herauldis, maseris, pursevantis, and messingeris ower all this realme, to compeir personalie befoir Lyoun King of Armes, and sic as salbe depute and appointit be my Lord Regentis Grace to assist with him, at Edinburgh the first day of Apryle nix to cum,—bringand with thame thair admissionis, instructionis, and minuttis of thair executionis, to be sene and consideritt,—to the effect that the personis being fund worthy and qualifiit may be continewit in thair offices and thairupoun ressave new testimoniallis, and the otheris that beis found unworthy, negligent, corrupt, insufficient, or that hes not gevin gude pruif of thair affectioun to the Kingis Majesteis service in tyme bigane, to be deposit and deprivit. Quhilkis personis than allowit onelie sal haif power to execute lettres or chargeis thaireftir; and to the effect that thair names may be knawin to all the liegis, thay salbe put in roll and affixt in the Tollbuyth dur of Edinburgh and utheris publict places neidfull; and the executionis of na officiaris of armes salbe admittit or estemit lauchfull eftir the said first day of Apryle, except onelie of sa mony as salbe contenit in the roll during the space of ane yeir at leist eftir the said day, and na utheris during that tyme salbe of new admittit.

Apud Edinburgh, xxiiii Januarii, anno, etc. lxxii°.

Sederunt—

Jacobus Dominus Regens.	Hugo Dominus Somervile.
Archibaldus Comes Angusie.	Andreas Dominus Uchiltre.
Gilbertus Comes de Cassillis.	Allanus Dominus Cathcart.
Joannes Comes de Montroise.	Joannes Dominus Hereis.
Alexander Comes de Glencarne.	Episcopus Sanctiandree.
Hugo Comes de Eglintoun.	Episcopus Orchadensis.
Joannes Dominus Glammis.	Dunfermling.
Joannes Dominus Maxwell.	Clericus Registri.
Robertus Dominus Boyd.	Clericus Justiciarie.
Willelmus Dominus Yeistir.	

Obligatioun for the men of wearis wageis.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Capitanis Thomas Craufurde and David Hume, and for thame selffis and in name and behalf of Capitanis George Michell, Andro Lamby, Andro Traill and Hudsoun, and thair companeis, lamentit—that throw non payment of thair wageis awand to thame be the space of sex monethis preceding the first day of December last

bipast, thay and thair companeis wer the mair unabill to serve, and yit in declaratioun of thair ernist and unfenyeit gude will thairunto, and that thay intend not to preis my Lord Regentis Grace and the Counsall of thair saidis wageis farder nor necessitie compellis thame,—thay offerit to acquit and discharge the half of thair saidis sex monethis wageis, being maid sure of the uther half extending to thre monethis to be payit at sum competent day; and of the first and reddiest of the same thre monethis payment wer content to diffeis and allow thair dettis awand be thame to thair creditouris in the places thay have lyne upoun bilting, the same being takin of thair heidis. Quhilkis gentill and honest offer my Lord Regentis Grace and the Counsale accepting in gude part, and willing not onelie to interteny the saidis capitanis and men of weir with gude payment presentlie and in tyme cuming during thair service, bot als to mak thame to be satisfeit of the saidis thre monethis wageis at sic ane competent day, as betuix and the same, diligence may be maid for uptaking of oure Soverane Lordis rentis, and casualiteis restand awand, quhairupoun payment mon be maid. And thairfoir my Lord Regentis Grace, with avise of the nobilitie and Lordis of Secreit Counsale present, in name of oure said Soverane Lord, promittis and obleissis to mak full and compleit payment of the saidis thre monethis wageis to the saidis capitanis and thair cumpanyis in maner abonewrittin betuix the dait heirof and the first day of Junii nixtocum.

Apud Edinburgh, xxvi Januarii, anno, etc. lxxii°.

Caution for Williame Ellott of Horsliehill.

The quhilk day, Williame Ellott of Horsliehill as principall and Thomas Weir of Kirktoun as cautionar and souertie for him, ar becum actit and obleist conjunctlie and severalie, that the said Williame, his bairnis, servandis and tenentis, sall continew trew and obedient subjectis to oure Soverane Lord and his authoritie in tyme cuming; that thay sall freith and releif his Hienes and his Wardane for sic attemptattis as thay salbe fylit of aganis the peace; that the said Williamis hous of Horsliehill salbe patent for the refuge and succours of the Kingis Majesteis subjectis professing his authoritie, in caise thay be persewit or in dangeare; that nane of his Hienes declarit tratouris or rebellis salbe ressett thairin, nor yit utherwayis ressett, suppleit, or intercommonit with be the said Williame, his bairnis, servandis and tenentis foirsaidis of his command or knawlege; and als that the said Williamis hous of Horsliehill foirsaid, salbe randerit and deliverit to oure Soverane Lord, his Regent and authoritie, quhenevir the samyn salbe requirit, upoun xlviii houris warning, under the pane of ane thowsand pundis; and the said Williame Ellott obleist him self to releif the said Thomas of the said souertie and of all pane and dangeare that he may incur thairthrow.

Apud Edinburgh, xxvii Januarii, anno, etc. lxxii°.

Sederunt—Domini ut in die predicto.

Proclamatioun to meit at Brechin.

Forsamekill as my Lord Regentis Grace, the Lordis of Secreit Counsale, and utheris of the nobilitie and faythfull baronis of the realme assemblit at

this present Parliament, considering the estate of the commoun weill sa havelie troublit and inquietit, be the insurrectioun and wrangfull oppressioun of divers our Soverane Lordis unnaturall and rebellious subjectis not onelie impeding the ordinar administratioun of justice,—quhairby the puyr liegis ar in diverse partis slane heriit and put to extreme povertie, libertie being gevin to notorious pirattis, brokin men, and ungodlie personis to execute all kynd of reif, crueltie and depredatioun upoun the peciabill and gude subjectis, native inhabitantis of this realme,—bot als oure Soverane Lordis royall authoritie and princelie power vilipendit, lichtleit and planelie usurpit. Quhairfoir my Lord Regentis Grace in propir persoun myndis to tak the feildis, for establissing of justice and reduceing of the saidis dissobedient subjectis to thair dew obedience. For quhilk purpois it is neidfull that he be weill and substantiouslie accumpaneit with the Kingis Majesteis gude subjectis. Ordanis thairfoir letters to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas command and charge, all and sindry oure Soverane Lordis liegis betuix sextie and sextene yeris and utheris fensabill personis, alsweill to burgh as land, regalitie as rialtie,—dwelland within the boundis of the Sherefdomes of Striveling, Dunbartane, Linlythquow, Clakmannan, Kinross, Perth, Fyff, Forfair, Kincardine, Abirdene, Banff, Elgin, Fores, Narne, Innernes, and Stewartreis of Stratherne and Menteith,—that thai and ilkane of thame, weill bodin in feir of weir, with fourty dayis victuallis and provisioun, addres thame, to convene and meit my Lord Regentis Grace at the places and upoun the dayis particularlie under mentionat. That is to say; all and sindry his Hienes liegis dwelland within the Sherefdomes of Striviling, Dunbartane, Clakmannan, Kinross, Perth, Fyff, Forfair Kincardin and Stewartreis of Stratherne and Menteith, to convene and meit his Grace at Brechin upoun the first day of Marche nixtocum; and all and sindry personis dwelland within the saidis sherefdomes of Abirdene and Banff, to convene and meit his Grace at Abirdene upoun the ferd day of the said moneth; and all and sindry oure Soverane Lordis subjectis dwelland within the saidis sherefdomes of Elgin, Fores, Narne, and Innernes, to convene thame selffis within the toun of Elgin upoun the thrid day of the same moneth; and sua to pas furthwart as thai salbe commandit during the said space of fourty dayis, under the pane of tinsell of lyff, landis and gudis.[1]

[1] The Parliament referred to in this minute began on the 26th of January, and among its other Acts were :—

"Anent the approbatioun and confirmatioun of the Regiment."

"Anent the true and haly kirk."

"That the adversaries of Christis Evangell sall not injoy the patrimony of the kirk."

"Anent the disobedientis quhilkis salbe ressavit to our Soverane Lordis mercy and pardoun."

"Anent the establishing of the Regiment in case of Goddis plesure that charge yit vaik during the Kingis Majesteis minorite."

"Approbatioun of the aitis and procedingis done in name and be authoritie of our Soverane Lord, and of the invaliditie of all thingis attemptit in name or be colour of ony uther auctoritie sen his Hines coronation."

—Act Parl. Scot. vol. iii. p. 71, *et seq.*

Apud Edinburgh, xxviii Januarii, anno, etc. lxxii°.

Sederunt—

Jacobus Dominus Regens.	Andreas Dominus Uchiltre.
Gilbertus Comes de Cassillis.	Allanus Dominus Cathcart.
Hugo Comes de Eglintoun.	Episcopus Orchadensis.
Joannes Dominus Glammis.	Dunfermling.
Robertus Dominus Boyd.	Clericus Justiciarie.

Ayth of Teviotdaill men.

The quhilk day, the personis underwrittin comperand personalie in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, enterit thame selffis as plegeis for thame selffis and utheris personis particularlie under mentionat, for quhome thay ar presentlie content and takis on hand to answer for upoun observatioun of the conditionis following: That is to say that thay and every ane of thame sall acknawlege as thay do presentlie the Kingis Majestie for thair onelie Soverane; that thay sall serve and obey his Hienes, his Regent and authoritie as becumis dewtifull subjectis; and sall releif his Hienes and his Wardanis present and to cum at the handis of the Wardanis of Ingland, according to the lawis of Marches; and siclyke thay sall not resset, supple nor intercommoun with Sir Thomas Ker sumtyme of Fairnyhirst knycht, Thomas Ker sumtyme of Caveris, James Ormistoun sumtyme of that Ilk, or ony utheris declarit tratouris and notorious rebellis aganis oure Soverane Lord and his authoritie, bot sall ryise, assist and serve his Hienes, his said Regent, Lieutenentis Wardane or utheris havand his Hienes authoritie in the furthsetting thairof aganis all withstandaris of the same. The quhilk to do, the personis underwrittin, takand the burding for thame selffis and utheris that thay have promissit for under mentionat, hes faythfullie bund obleist and sworne thame selffis, as thay will answer to God and under the pane of perjurie, defamatioun and tinsall of perpetuall estimatioun and credit; and in caise thay do in the contrair to be comptit faythles, mensworne, and defamit for evir, and nevir to have place to stand in jugement or to beir office and witnes bot to be haldin as tratouris and infidelis perpetuallie; and als the saidis personis hes fund souirteis as is underwrittin for thair entre agane befoir my Lord Regentis Grace and Lordis of Secreit Counsale quhen thay or thair souirteis salbe chargeit and requirit, upoun xv dayis warning, under the panis particularie undermentionat.

Allane Denys, George Maxwell, Johnne Scott—callit Philpis Jok, and Robert Scott, indwellaris of Hawik, comperit and maid fayth; and Sir James Dowglas of Drumlangrig knycht, become cautionar and souertie for thame, for observatioun of the conditionis abonewrittin and for thair entre agane upoun xv dayis warning, ilkane of thame under the pane of fyve hundrith markis.

Williame Oliver in Anstruder, George Oliver in Chesteris, Dand Oliver in Quhitsyde, Niniane Laidlo in the Bank, and Williame Kirktoun of Stewartfeild, comperit and maid fayth, and Sir Thomas Turnbull of Badroule knycht and Richard Rutherfurde of Edyarstoun become cautionaris

and souirteis, conjunctlie and severalie, for observatioun of the saidis conditionis and for thair entre agane on xv dayis warning, under the panis following: that is to say, the said Williame Kirktoun, under the pane of ane thowsand pundis, and the utheris personis abonewrittin, ilkane of thame under the pane of v^{c} markis.

James Langlandis of that Ilk comperit and maid fayth and Andro Ker of Fawdounsyde become souertie for him for observatioun of the saidis conditionis, and for his entre agane on xv dayis warning, under the pane of ane thowsand markis, and the said James obleist him to releif his said souirtie.

Williame Dowglas of Caveris comperit and maid fayth, and Williame Ker of Cavertoun and Andro Ker of Fawdounsyde become souirteis for him, conjunctlie and severalie, for observatioun of the saidis conditionis, and for his entre agane upoun xv dayis warning, under the pane of twa thowsand markis, and the said Williame obleist him to releif, etc.

[Appeared and made faith to the same effect:

	Surety.
Williame Scott son of Walter Scott of Erdshaw.	James Langlandis of that Ilk.
James Gledstanis of Coklaw.	Williame Ker of Cavertoun.
Walter Cheisholme of that Ilk.	Maister Michaell Cheisholme burges of Edinburgh.
Robert Davidsoun.	Williame Ker of Cavertoun.
George Ker tutour of Graden.	Andro Ker of Fawdounsyde.
Andro Anyslie burges of Jedburgh.	Capitane Andro Ker.
Johnne Anyslie in Birkinsyde.	Walter Ker of Delphinstoun.
Johnne Rutherfurd of Hunthill.	Richert Rutherfurd of Edyarstoun.
Williame Kirktoun of Stewartfeild.	George Dowglas of Bonejedburgh.
Watt Ker of Dolphinstoun.	Williame Ker of Cavertoun.
Andro Rutherfurde youngar of Hundoley.	Richert Rutherfurde of Edyarstoun.
Johnne Grymmislaw of Littill Newtoun.	Williame Ker of Cavertoun.
George Rutherfurde of the Grange.	Andro Rutherfurde youngar of Hundoley.
Henry Haitlie son and apparent heir of Johnne Haitlie of Mellestanis.	Williame Ker of Cavertoun.
Hector Turnbull son and apparent heir of David Turnbull of Wauchop.	Williame Ker of Cavertoun.
Richert Rutherfurde of Edyairstoun.	Andro Rutherfurde youngar of Hundoley.
Johnne Rutherfurde called Jok of the Know.	Andro Rutherfurde of Hundeley and Richert Ruthirfurde of Edyarstoun.]

Band for the Kingis suirtie.

Be it kend till all men be thir present lettres,—we Alexander Erskin of Gogar and Adam Commendatare of Cambuskynneth, that forsamekill as upoun the xxv day of Novemher last bipast, my Lord Regentis Grace, with avise of the Nobilitie and Estaittis than present, fand it gude and concludit, that the persoun of oure Soverane Lord sould remane as afoir in the Castell of Striveling quhill farder ordour wer takin, as in the Act maid thairupoun at mair lenth is contenit; and now laitlie his Grace and Estaittis foirsaidis convenit in Parliament hes appointit certane ordour and conditionis, anent his Majesteis keping and preservatioun, and deliverit the samyn to me the said Alexander, to be avysit with the freindis of the hous of Erskin, and to report oure determinat answer and resolutioun thairanent within the space of dayis, during quhilk tyme we obleis us upoun our faythis and allegeances, that we be our selffis and the freindis and servandis of the Erll of Mar, for quhilkis we salbe answerabill, sall keip the said Castell of Striveling in name and to the use and behuif of his Hienes sall alswa surelie and sauflie observe and keip the persoun of his Majestie within the said Castell at the devotioun and directioun of the said Lord Regent—quha hes the cheif government of his Hienes, his realme and liegis; and that the persoun of his Hienes sall not be removit nor transportit furth of the said Castell to ony uther place, and that nane dissobedient to the authoritie of oure Soverane Lord, or not weill affectit to his Hienes, thair wyffis, bairnis, nor servandis sall not be resset nor sufferit to have entres or residence within the said Castell, nor na Erll to be ressavit with ma nor twa servandis, na Lord with ma nor ane, nor na Gentilmen bot singill and allane,—and all without armour or wappynnis; and that the nowmer of the haill to be admittit attanys be far within the ordinar nowmer interteneit in the said castell; and that the instructioun and educatioun of his Majestie in literature and religioun,—under Maisteris George Buchannane and Petir Young his present pedagogis, or sic as salbe heireftir appointit be the said Lord Regent to that charge aggreing in religioun with the saidis Maisteris George and Petir, nor yit the exercise of religioun as it is approvit be Parliament and publictlie usit in the said Castell,—sall na wayis be alterit or innovat; nor his Hienes present pedagogis or officiaris removit fra him nor utheris placeit in thair chargeis, without speciall warrand advise and command of the said Lord Regent, and thay ay and quhill we satisfie his Grace anent the ordour and conditionis foirsaidis, quhilk we promeis to do within the space of dayis, or than to underly sic ordour and directioun anent the keping of oure Soverane Lord and his said Castell, as the said Lord Regent, with avise of the Counsale, sall appoint and prescryve, as we will answer to our Soverane Lord, his said Regent and authoritie, upoun oure honouris and under the pane of tinsall of our lyffis and heretage. In witnes of the quhilk thing we have subscrivit thir presentis with our handis at Edinburgh the xxviii day of Januare, the yeir of God j^{m}v^{c}lxxii yeris.

Apud Edinburgh, penultimo Januarii, anno, etc. lxxii°.

Sederunt—Domini ut in die predicto.

Lady Stanehous. The quhilk day, anent oure Soverane Lordis letter rasit at the instance of Grissell Sympill Lady Stanehous, makand mentioun;—that quhair schö upoun ane charge direct be umquhile Mathow Erll of Levenax, Regent for the tyme, for randering of hir hous and place of Blair, obeyit the samyn, and willinglie removit hir self as obedient subject furth thairof, swa that Robert Erskin. Robert Erskin hes continewit in the possessioun thairof sensyne, to the space of ane yeir and ane half with the mair; and in the mentyme schö disappointit of ludgeing to hir greit hurt and skayth. And anent the charge gevin to the said Robert Erskin to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaynt, and to heir and se lettres direct, to command and charge him and utheris possessouris of the said Grissellis hous and place of Blair, to deliver the samyn to hir with the gudis and geir being thairintill the tyme of the said Robertis ressait thairof, to be kepit be hir under oure Soverane Lordis obedience in tyme cuming, within xlviii houris nixt eftir the charge, under the pane of rebellioun and putting of thame to the horne; and gif thay failyeit thairin, the saidis xlviii houris being bipast, to denunce thame oure Soverane Lordis rebellis and put thame to the horne, and to escheit, etc.; or ellis to schaw ane ressonabill caus quhy the samyn sould not be done, with certificatioun to the said Robert and he failyeit lettres sould be direct in maner abone writtin, lyke as at mair lenth is contenit in the saidis letters executioun and indorsatioun thairof. The said Grissell Sympill comperand be Maister Henry Kinross hir procuratour, and the said Robert oftymes callit and not comperand, my Lord Regentis Grace with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas, command and charge the said Robert Erskin and all utheris possessouris of the said place of Blair, to rander and deliver the samyn to the said Grissell Sympill or ony utheris in hir name—to be kepit be hir under our Soverane Lordis obedience in tyme cuming, within xlviii houris nixt eftir thay be chargeit thairto, under the said pane of rebellioun and putting of thame to the horne; and gif thay failye thairin, the saidis xlviii houris being bipast, to denunce, etc., and to escheit, etc.

Cassillis. The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, Gilbert Erll of Cassillis on that ane part, and Thomas Bargany. Kennedy of Bargany on that uther part; for thame selffis, and takand the burding on thame for thair kin, freindis, men, tenentis, servandis, asssistaris and partakaris, that thay may lett,—hes assurit, and be the tennour heirof assuris, ilkane utheris, to be unhurt, unharmit, molestit, troublit, or in ony wayis persewit be utheris, in the law or be the law, in tyme cuming, for quhatsumevir caus or occasioun bigane preceeding the dait heirof, unto the first day of Apryle nixtocum; promittand to keip the said assurance unviolat in

ony poynt under the pane of perjurie and defamatioun; consenting alwayis, that ayther of thame use the ordour of warning aganis utheris, conforme to the Act of Parliament, without prejudice to this present assurance in the menetyme.

Anent oure Soverane Lordis letters rasit at the instance of David Hendirsoun indwellar of Dunde, makand mentioun;—that quhair David Ogilvy of Auchtiralych, Johnne Ogilvy his sone, and diverse utheris thair complices, hes violentlie and wranguslie ejectit the said David Hendirsoun, his wyff and bairnis, furth of his kyndlie steding callit the fre landis of Abirbrothie pertening in heretage to James Weddirburne burges of the said burgh, and hes tane and reft fra the said David his haill gudis, geir, insicht, cornis, cattell and utheris being thairupoun; and hes put him his puyr wyff and bairnis to sic extreme necessitie that thay ar abill to pereis for lak of sustentatioun; for na uther caus that thay had aganis the said David Hendirsoun or the said James his maister, bot that thay estemit the pretendit forfaltour led in the Quene our Soverane Lordis moderis tyme, aganis all the inhabitantis of the said burgh of Dunde sould tak place, and that the said David Hendirsoun and his maister, as memberis thairof ar just pray to thame in respect of the said forfaltour,—in hie contemptioun of oure Soverane Lord, his authoritie and lawis, and in evill exempill to utheris to commit the lyke odious offences aganis puyr peciabill people gif this remane unpuneist.[1] And anent the charge gevin to the saidis David and Johnne Ogilvyis, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaynt under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thay failyeit letters sould be direct simpliciter to put thame to the horne; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof.—The said David Hendirsoun comperand personalie, and the saidis David and Johnne Ogilvyis oftymes callit and not comperand,—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, to denunce the saidis David and Johnne Ogilvyis our Soverane Lordis rebellis, and put thame to the horne, and to escheit, etc. Hendirsoun. Ogilvy.

The quhilk day, Johnne Menteith of Kerse, Alexander Mure of Skemure, and Robert Hammiltoun of Inchemauchane, become bund and obleist conjunctlie and severalie, to entir and present James Bruce—broder germane to Alexander Bruce of Airth, and Johnne Hay, befoir my Lord Regentis Grace and Lordis of Secreit Counsale, quhair thay sal happin to be, upoun the xxiiii day of Februare nixtocum; and sic lyke that the saidis Johnne and James sall not repair to the Castell of Blaknes in the menetyme, nor have intelligence with nane of the personis being thairin, nor utherwayis with nane of oure Soverane Lordis declarit tratouris being within the Castell of Edinburgh under the panis following: That is to say, the said James Bruce Caution for Captain Bruce.

[1] "Forfaulture" inhabitants of Dundee. *See* vol. i. p. 597.

under the pane of ane thowsand merkis, and the said Johnne under the pane of fyve hundrith merkis; and the saidis James and Johnne obleist thame to releif thair saidis souirteis of the premissis, etc.

Apud Edinburgh, ultimo Januarii, anno, etc. lxxii°.

Sederunt—Domini ut in die predicto.

Gilchryist. Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne Gilchrist, makand mentioun;—That quhair he obtenit ane charter and heretabill infeftment of umquhile Johnne sumtyme Archebischop of Sanctandrois, Abbott of the Abbay of Paslay for the tyme, and Convent thairof, to the said Johnne, his airis and assignayis of all and haill the landis underwrittin: that is to say, the half of the landis of Nethir Gallowhill, fyve akeris of land or thairby callit Knaiffis land, the landis callit Clayfauld, four akeris of land or thairby callit Guis houslandis, the landis of Nethir Ward callit Housward, thre akeris of land or thairby liand within the dykis of Monkis Schaw Wod, and with the houssis and yairdis occupiit be George Marschell, and with the office of Forrestschip of the wod of Monkschaw, and with the use of the gerse of the medo quhen it is mawin, as the said George usit, and all utheris thair pertinentis liand in the Lordschip and Regalitie of Paslay within the sherefdome of Renfrew, as the said Johnnes charter and infeftment maid and grantit to him thairupoun beris. Quhilk charter is confermit be our Soverane Lord, with avise of his umquhile guidsire and Regent, as his charter of confirmatioun Lord Sympill, under the greit seill beris. Nevirtheles now laitlie Robert Lord Sympill, allegeand him donatour—or quhat uther rycht the said Johnne knawis not—to the said Abbacie, hes, on his maner, set ane few and past ane charter of fewferme of the samyn landis and utheris abone writtin, to Robert Sympill his oy, and hes purchest and intendis to purches oure Soverane Lordis confirmatioun at my Lord Regentis handis thairupoun, tending thairby to troubill the said Johnne Gilchrist in the heretabill rycht of the saidis landis and utheris foirsaidis, and to debar him thairfra, he being ane puyr man—without my Lord Regentis Grace and Lordis of Secreit Counsale provyde remeid thairintill. And anent the charge gevin to the said Robert Lord Sympill, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to heir and se command gevin be his Grace to the keparis of the Signet, Prevy and Greit Seillis, that thay nor nane of thame pas ony preceptis or charter of confirmatioun upoun the said charter of fewferme gevin be the said Lord Sympill to his said oy of the landis and utheris abonewrittin ellis set in few to the said Johnne Gilchrist and confermit as said is; or ellis to schaw ane ressonabill caus quhy the samyn sould not be done; with certificatioun to the said Lord Sympill, and he failyeit, the said command sould be gevin in maner as is abone mentionat, lyke as at mair lenth is contenit in the said supplicatioun, executioun, and indorsatioun, thairof. Quhilkis being callit, comperit Maister

Henry Kinross procuratour for the said Lord Sympill, and Maister Richert Strang procuratour for the said Johnne Gilchrist; thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith.—My Lord Regentis Grace and Lordis of Secreit Counsale, in respect of the said confirmatioun first past to the said Johnne Gilchryst of the saidis landis and utheris abonewrittin, findis that the uther charter maid to the said Robert of the samyn landis aucht not to pas throw the saidis seillis, the saidis first charter and confirmatioun following thairupoun standing unreducit; and thairfoir commandis the keparis of the Signet, Prevy and Greit Seillis, that thay nor nane of thame pas ony precepts or charter of confirmatioun upoun the said charter of fewferme, gevin to the said Lord Sympill to his said oy, of the landis and utheris abonewrittin, ellis set in few to the said Johnne Gilchrist, and confermit as said is; dischargeing thame and ilkane of thame of all answering of ony of the saidis seillis to that effect and of thair offices in that part; without prejudice alwayis to the said Robert Sympill or ony utheris havand interes, to call and persew for reductioun and annulling of the said confirmatioun of the landis and utheris abonewrittin maid to the said Johnne, as accordis of the law.

Drumquhassillis Band for keping of Dunbartane Castell.

Be it kend till all men be thir present letters,—me Johnne Cunynghame of Drumquhassill capitane of the Castell of Dunbartane, to be bundin and obleist—and be the tennour heirof upoun my fayth and honour bindis and obleissis me and my airis, to oure Soverane Lord and his successouris, and to his rycht traist cousing James Erll of Mortoun Lord Dalkeyth Regent to his Hienes, his realme and liegis during his Majesteis minoritie,—that I sall trewlie keip the said Castell, with his Hienes munitioun being thairin, and all presonaris quhilkis I salbe chargeit to ressave, to the behuif and use of his Hienes; and at the devotioun, directioun and commandiment of his Majestie and of his said Regent during his Hienes minoritie; and that I sall mak the same Castell patent and reddy for ressait of his Majestie or his said Regent quhensoevir thay think tyme and occasioun to requeir me sa to do; as I will answer to oure said Soverane Lord and his authoritie on my allegeance and upoun the pane of my lyff and herctage. In witnes heirof I have subscrivit thir presentis with my hand, at Edinburgh the last day of Januare, the yeir of God $j^{m}v^{c}lxii$ yeris.

Apud Edinburgh, tertio Februarii, anno, etc. lxxii°.

Caution for Capitane Ramsay.

The quhilk day, my Lord Regentis Grace gaif and disponit to Capitane Alexander Ramsay the escheit gudis and dettis of James Arrott at Arrottis Mylne, fallin and becum in our Soverane Lordis handis for certane caussis mentionat in the gift maid thairupoun. Nochtwithstanding Alexander Lindesay of Vane become actit and obleist that the said Capitane Alexander sall use and apply the saidis escheit gudis and dettis, to the utilitie and weill of the bairnis of the said James, gottin with umquhile Agnes

Fittes his spous, as alsua thair takkis and stedingis gif ony be, under the pane of payment of the avale and quantitie of the saidis escheit gudis and dettis.

Apud Edinburgh, octavo Februarii, anno, etc. lxxii.

Sederunt—

Jacobus Dominus Regens.
Willelmus Dominus Ruthven.
Robertus Dominus Boyd.
Allanus Dominus Cathcart.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Archibald Aitkin. Garden.

The quhilk day, anent the actioun and caus intentit and persewit be Archibald Aitkin indwellar of Alloway aganis Alexander Forrester of Garden, for warrandice to the said Archibald of threttene chalderis and aucht bollis meill, and refounding to him of the pryces thairof acclamit be him fra the said Alexander, as at mair lenth is contenit in the principall letters direct thairupoun. Quhilkis being callit and bayth the saidis partiis comperand personalie, the said Alexander Forrester denyit the haill pointis of the saidis lettres. Quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis, admittis the same to the said Archibaldis probatioun, and assignis to him to that effect the xxv day of Februare instant; and ordanis him to have letters to summond sic witnessis and to produce sic probatioun as he will use for preving of his intent, agane the said day, under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne; and in the menetyme continewis the said mater in the samyn forme, force and effect as it is now, but prejudice of partie, unto the said day,—bayth the saidis partiis warnit heirto apud acta.

Johnne Selbyis Band.

I Johnne Selby of Twysill, Capitane of Norhame and Warden deputty of the Eist Marches of England foranent Scotland, be the tennour heirof bindis and obleissis me,—that Richert Jaksoun, Inglisman, lettin to libertie be my Lord Regentis Grace of Scotland at my desyre, sall not returne heireftir within the realme of Scotland to serve aganis the Kingis Majestie thairof nor his authoritie,—except it be be the appointment of the Quenis Majestie of England my Soverane or be hir officeris quho may have authoritie to command him, under the pane of reprufe. In witnes quhairof heireftir, I have subscrivit this my band at Berwik this aucht day of Februare, in the yeir of our Lord 1572.

Apud Edinburgh, decimo Februarii, anno, etc. lxxii°.

Band of James Hammiltoun of Kincavill.

The quhilk day, James Hammiltoun of Kincavill grantit him upoun his humble submissioun to have ressavit oure Soverane Lordis pardoun and

remissioun, for certane crymes of tressoun and lese majestie and utheris specifiit in the said remissioun, of the dait the xxvii day of Januare last bipast; as alsua his Hienes rehabilitatioun to his blude, gude fame, and wardlie honouris, as in the same remissioun and rehabilitatioun at mair lenth is contenit. Thairfoir the said James Hammiltoun hes gevin the confessioun of his fayth, and promeist to continew in professioun of the trew religioun in tyme cuming, and that he sall at the uttirmest of his power manteine, fortifie, and assist the trew precheouris and professouris of Chrystis religioun, aganis quhatsumevir innymeis or ganestandaris of the same,—and namelie aganis all sic of quhatsumevir natioun, estate, or degre thay be of that hes bund and joynit thame selffis, or hes assistit and assistis to set furthwart and execute the cruell decretis of the Counsall of Trent—quhilk maist injuriouslie is callit be the adversaires of Goddis trewth the Haly League—contrair the precheouris and trew professouris of the Word of God. As alsua the said James hes promeist and sworne upoun his fayth to continew trew and obedient subject to our Soverane Lord, his Regent and authoritie, and that he sall not beir armes in thair contrair, nor intercommoun with any liegis within this realme or without professand ony uther authoritie than his Hienes, without licence of the Regentis Grace; quhilk being notourlie knawin and sufficientlie tryit according to the lawis of this realme he salbe puneist conforme thairto; and in like maner the said James grantis and confessis that all thing done or assistit unto be him in name or be cullour of ony uther authoritie sen the coronatioun of oure Soverane Lord; aganis ony that professit his Hienes obedience for the tyme, hes bene, and is, of na strenth force nor effect, and sal have na kynd of executioun for ony tyme bigane or to cum.

Apud Edinburgh, xiiii Februarii, anno, etc. lxxii°.

Caution for Robert Schillelaw.

The quhilk day, James Hammiltoun, sone and apperand air to Sir James Hammiltoun of Craufurdjohnne knycht, become actit and obleist for Robert Schillelaw tailyeour, that the said Robert sall remove himself furth of this burgh of Edinburgh within xxiiii houris nixteftir the dait heirof, and remane furth of the samyn, and on na wayis resort nor repair agane thairto, nor within four mylis to the samyn, in tyme cuming, without licence of my Lord Regentis Grace, under the pane of fyve hundrith pundis.

Caution for Williame Turnbull.

The quhilk day, Sir Thomas Turnbull of Badroule knycht become actit and obleist for Williame Turnbull, that he sall depart and remove himself furth of this burgh of Edinburgh within xxiiii houris nixteftir the dait heirof, and on na wayis to resort nor repair agane thairto, nor within four mylis to the same, in tyme cuming, without licence of my Lord Regentis Grace, under the pane of fyve hundrith pundis.

Caution for Barnebowgall.

The quhilk day, Johnne Mowbray of Barnbowgall as principall and Williame Lawder of Haltoun as cautionar and souertie for him become actit

and obleist conjunctlie and severalie, that the said Johnne Mowbray and Elspett Kirkcaldy his spous, sall not have commoning nor intelligence, personalie nor be letters or messages or ony uther maner of way, with ony of the declaritt ratouris and dissobedient subjectis, withhaldaris of the Castell of Edinburgh, aganis oure Soverane Lord and his authoritie, nor utherwayis fortifie nor assist thame heireftir under quhatsumevir cullour or pretense, under the pane of twa thowsand pundis ; and the said Johnne Mowbray obleist him to releif his said souirtie of the premissis, etc.

Apud Edinburgh, xvii Februarii, anno, etc. lxxii°.

Sederunt—

Jacobus Dominus Regens.
Archibaldus Comes Angusie.
Robertus Comes de Buchane.
Joannes Dominus Glammis.
Patricius Dominus Lindesay.
Andreas Dominus Uchiltre.
Allanus Dominus Cathcart.
Joannes Dominus Innermeith.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Marcus Commendatarius de Newbottill.
Robertus Commendatarius insule Sancte Marie.
Clericus Registri.
Advocatus.

Young Ballumby.

Anent oure Soverane Lordis letters rasit at the instance of Johnne Lovell of Ballumby, makand mentioun ; that quhair eftir mony sindry wrangis, deforcementis, and maisterfull impedimentis maid to him, his servandis and procuratouris—and he his self being at all tymes in dangeare of his lyff, his servandis and fischearis woundit, hurt and with greit difficultie eschapand with thair lyffis—be the Lord and Maister of Gray, thair houshaldmen, servandis and utheris of thair hounding, causing, command, assistance and ratihabitioun ; the deforcearis, hurtaris of the said Johnnes men and persewaris of thair lyffis evir cumand furth of the place of Bruchtie, and namyng thame the Prince of Condy and Duke of Savoyis servandis, in meir mokkage and contempt of oure Soverane Lord, his authoritie and justice—that the said Johnne sould not entir to brouke and joise his propir fischeingis of the sey and watter of Tay—callit Inchevin, Dundargisheid, Stanneris, and Carfaw—liand foranent his landis of Monyfuith, Justingleyis and Eglismonchtie—pertening to him in heretage ; the said Johnne lamentit his caus and menit him thairupoun to umquhile James Erll of Murray Regent and Lordis of Secreit Counsale for the tyme, declaring that he had awaitit on the lawis befoir the Sessioun the space of nyne yeris, spendand his haill substance, and hereit himself in obtening of decreit be ordour of justice, and wes nevirtheles frustrat and hinderit of the execution thairof. And the mater being at length ressonit, at last he obtenit lettres, commanding Lyoun Herauld and utheris officiaris of armes, to pass and entir the said Johnne his procuratouris, servandis and cobillis to the saidis fischeingis to be broukit and josit be him as his heretage,

Lord Gray.

and to keip him in possessioun thairof ay and quhill he be lauchfullie callit and ordourlie put thairfra; and to that effect to mak convocatioun of oure Soverane Lordis liegis, and to charge all Erllis, Lordis, Baronis and utheris his Hienes liegis, alsweill to burgh as to land, to assist and concur to the executioun of the saidis letters; and likewyis obtenit letters upoun the said decreit to enter him in possessioun of the saidis fischeingis, with the concurrence of the said umquhile Regentis awin gaird commandit be him expreslie to that effect, and broukit the same thairefter quhill fischeing tyme yeid up. Bot howsone the said Maister of Gray persavit new troublis appearand as of befoir, without all law or authoritie be force enterit to the saidis fischeingis, and put the said Johnne his fischearis and servandis wranguslie thairfra; upoun the quhilk he meanit him to umquhile Mathow Erll of Levenax Regent for the time, and, his lamentabill complaynt being considerit, directit Williame Brysoun, maser ordinar to the Secreit Counsall, with Capitane Robert Cunynghame and utheris his servandis, quha enterit the said Johnne to the saidis fischeingis of new; bot nevirtheles as of befoir wes of new ejectit and put thairfra lyke as he hes bene continewale sensyne. And the said Johnne having gude hoip that my Lord Regentis Grace wald reforme wrangis done in his tyme, causit laitlie Johnne Sowtour messinger pas and entir him his nettis and cobillis to the saidis fischeingis; but nevirtheles James Gray broder germane to the said Maister of Gray, accumpaneit with George Gray sone to Robert Gray alias Clarie, Alexander Gray servitouris to Patrik Lord Gray, Patrik Ogilvy, and utheris thair complices to the nowmer of twelf personis, bodin in feir of weir—of the causing, command, and ratihabitioun of the saidis Lord and Maister of Gray—at all tymes resset and reparand in the place of Bruchtie, cruellie umbeset the said officiar in his passage to the saidis fischeingis, and not onelie deforceit him in executioun of oure Soverane Lordis letters, bot als cruellie dang and straik him to the greit effusioun of his blude, quhairof he hes lyne continewalie bedfast sensyne, and in poynt and dangeare of his lyff; and swa not onelie is the said Johnne violentlie withhaldin fra his heretage aganis all ressoun and justice, bot als the said Lord and Maister of Gray, with thair servandis and complices, planelie and continewalie contempnis and mokkis our Soverane Lordis authoritie and present regiment. And anent the charge gevin to the saidis Lord and Maister of Gray, James Gray his broder germane, George Gray sone to Robert Gray alias Clarie, Alexander Gray servand to the said Lord Gray, and Patrik Ogilvy, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit upoun the contemptioun done and committit be thame in maner abonewrittin, and to underly sic ordour and punisement thairfoir as sould be thocht expedient, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the said letters, executioun, and indorsatioun thairof.—The said Johnne Lovell comperand personalie, and the saidis personis complenit upoun oftymes

callit and not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, to denunce the saidis Lord and Maister of Gray, James Gray, George Gray, Robert Gray, Alexander Gray, and Patrik Ogilvy, our Soverane Lordis rebellis, and put thame to the horne, and to escheit and inbring all thair movabill gudis to his Majesteis use for thair contemptioun.

Rober Watsoun, Custumar.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Robert Watsoun Custumar of Edinburgh, makand mentioun.—That quhairupoun the xiii day of November last bipast Johne Calder, Bute pursevant, and Williame Forsyth messenger, past to the havin of Brintiland, and thair sercheit ane schip callit the Blak Lyoun, quhairof is maister and skippar,—suspect to be ladin with certane forbidden gudis to have bene transportit to the partis beyond sey—and apprehendit within the samyn ane punsoun of talloun, quhairwith thay intromettit be vertew of oure Soverane Lordis letters deliverit be the said Robert Watsoun to thame for that effect; and thaireftir put and placeit the samyn in the dwelling hous of Adam Nicolsoun in Brintiland, thair to have remanit quhill as the same mycht have bene intromettit with be the said Robert in oure Soverane Lordis name, and disponit upon as escheit to his Hienes behuif. Nochtheles Henry Dury kepar of the place of Brintiland, Edward Monypenny pretendit Sercheour, and Gourlaw pretendit Custumar of Brintiland, upoun the xiiii day of the said moneth, under silence of nycht, come and tuke away the said talloun furth of the said Adamis hous perforce, and hes the same as yit in his handis,—at the leist be collusioun betuix him and thame hes fraudfullie put the samyn away, and on na wayis will mak restitutioun thairof agane to the said Robert to the effect foirsaid, without thay be compellit. And anent the charge gevin to the saidis personis, and als to the said Adam Nicolsoun, to rander and deliver to the said Robert Watsoun, or the said officiar in his name, the said punsioun of talloun, to the effect abonewrittin within sex houris nixt eftir the charge, under the pane of rebellioun, etc.;—or ellis that thay upoun the thrid day nixt eftir the said charge, compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, and schaw ane ressonabill caus quhy thay sould not do the samyn;—with certificatioun to thame and thay failyeit, thay sould be incontinent thaireftir denunceit oure Soverane Lordis rebellis and put to the horne, and all thair movabill gudis escheit, etc., lyke as at mair lenth is contenit in the said complaynt, executioun, and indorsatioun, thairof. The said Robert Watsoun comperand personalie, and the saidis personis complenit upoun—lauchfullie chargeit—oftymes callit and not comperand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas, and denunce the saidis Henry Dury Edward Monypenny Gourlaw and Adam Nicolsoun oure Soverane Lordis rebellis, and put thame to the horne, and to escheit, etc.

Henry Dury.

Apud Edinburgh, xviii Februarii, anno, etc. lxxii°.

Sederunt—

Domini ut in die predicto.

Barbara Hay and hir spouse. Maister of Errole.

Anent the complaynt maid to my Lord Regentis Grace and Lordis of Secreit Counsale, be Barbara Hay relict of umquhile James Gordoun of Creich, and Williame Forbes hir spouse for his interes, upoun Andro Maister of Errole, for the violent taking of James Grant, sheref and officiar, in executioun of our Soverane Lordis letters rasit at the instance of the saidis complenaris upoun the said Maister, and als of Johnne Drummond and Johnne Grant his witnessis, and putting of thame in strait presoun and irnis the tyme of the lait abstinence, and swa kepit captive the space of xiiii dayis thaireftir, as at mair lenth is contenit in the said complaint. Quhilkis being callit and the saidis complenaris comperand personalie with Maister David Borthuik thair prelocutor, and the said Maister being alsua personalie present with Maister Henry Kinross his prelocutor; it wes allegeit for the part of the said Maister, that the tyme of the said allegeit executioun of the saidis letters, the sicht of the same wes inquirit at the said pretendit officiar, quha denyit that he had thame—at the leist refusit to gif inspectioun thairof bot onelie of a copy—and thairfoir in taking and impresoning of him as is allegeit did na wrang; to the quhilk it wes answerit and replyit be the saidis complenaris and thair said prelocutor, that at the tyme of the said executioun the said officiar schew the saidis principall letters in presens of sindry of the said Maisteris servandis at the yet of his place of Slanis, and offerit thame to preif the samyn. Quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis, admittis the said reply to the saidis complenaris probatioun, and assignis to thame the xxvi day of Maii nix to cum, and ordanis thame to have letters to summond sic witnessis as thay will use for preving thairof; and in the menetyme continewis the said mater, in the samyn forme force and effect as it is now, but prejudice of partie, unto the said xxvi day; bayth the saidis partiis and thair prelocutouris warnit heirto apud acta.

Caution for Johnne Somervile.

The quhilk day, James Somervile youngar of Cambusnethame and Alexander Bruce burges of Edinburgh become actit cautionaris and souerteis, conjunctlie and severalie, for Johnne Somervile sone naturall to Alexander Somervile of Torbrax, that the said Johnne sall not intercommoun assist nor have intelligence with ony oure Soverane Lordis declarit tratouris and notorious rebellis in tyme cuming, under quhatsumevir cullour or pretens, be letters or messages; and als to entir the said Johnne befoir my Lord Regentis Grace and Counsale as the saidis cautionaris salbe requirit and chargeit upoun xlviii houris warning, under the pane of twa thowsand pundis.

Apud Edinburgh, xx die mensis Februarii, anno, etc. lxxii°.

Sederunt—

Jacobus Dominus Regens.
Archibaldus Comes Angusie.
Gilbertus Comes de Cassillis.
Joannes Dominus Glammis.
Allanus Dominus Cathcart.
Adam Episcopus Orchadensis.
Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Alexander Newtoun.

Mr. Thomas Harvey.

Anent oure Soverane Lordis letters rasit at the instance of Alexander Newtoun, makand mentioun: That quhair eftir that he had takin Maister Thomas Harvy advocat presonar and brocht him as innemy to oure Soverane Lord to the toun of Leyth, upoun solistatioun he did let him under band to Robert Stewart of Rossyith, quha thairfoir be his letters obligatouris under his subscriptioun manuall, band and obleist him and his airis, to entir the said Maister Thomas to the said Alexander quhen evir he requirit and callit for him, upoun sex dayis warning,—or ellis to content and pay to the said Alexander the sowme of ane thousand merkis money of this realme, in caise of his nonentre to the said Alexander in maner foirsaid, but fraude or gyle, as the saidis lettres obligatouris, of the dait the xii day of November the yeir of God j^{m}v^{c}lxxi yeris, mair fullelie proportis. And albeit the said Alexander upoun the ferd day of December last bipast past to the personall presens of the said Robert Stewart, and thair in presens of ane famous notar and witness as efferit, requirit and desyrit him to entir the said Maister Thomas to the said Alexander within sex dayis eftir his requisitioun, or utherwayis—in caise he failyeit thairin, the saidis sex dayis being bipast—to content and pay to him the said sowme of ane thousand merkis money foirsaid, conforme to the saidis letters obligatouris, as ane instrument takin be the said Alexander upoun his said requisitioun the day foirsaid, in the handis of James Hoppringill notar publict, mair fullelie proportis. Nevirtheles the said Robert as yit hes not enterit the said Maister Thomas to the said Alexander, quhairthrow he hes incurrit the said pane of ane thousand markis, quhairof he refuissis to mak payment to him, expres contrair the tennour of the saidis letters obligatouris. And thairfoir, in respect of the gude service done be the said Alexander in this caus—and in hoip of reward he hes bestowit the haill thing quhilk he had in defence and furtherance of the samyn, and now is alluterlie herreit, quhairthrow he may not await upoun lang pley or proces—the said Robert sould be decernit to pay to him the said sowme. And anent the charge gevin to the said Robert, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to heir him be decernit be thair decreit, to have contravenit the saidis letters obligatouris in all poyntis as said is, and thairfoir to content and pay to the said Alexander the said sowme of ane thousand merkis, quhilk he hes incurrit as for the pane mentionat thairintill, with letters of horning and poinding

to be direct aganis him for payment of the same sowme in forme as efferis—or ellis to schaw ane ressonabill caus quhy the samyn sould not be done—with certificatioun to him and he failyeit, the saidis Lordis wald decerne in maner foirsaid, lyke as at mair lenth is contenit in the saidis letters, executioun, and indorsatioun thairof. The said Alexander Newtoun comperand personalie with Mr. Thomas Craig his prelocutor, and the said Robert Stewart being lauchfullie chargeit, oftymes callit and not comperand; my Lord Regentis Grace, with avise of the saidis Lordis, decernis the said Robert to have contravenit the tennour of the saidis letters obligatouris, and thairfoir to incur the pane of ane thousand merkis money foirsaid contenit thairin; and for payment thairof ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, appryis, compell, poind and distrenye the said Robert Stewart his landis, and mak penny of his reddiest movabill gudis, and failyeing of his movabill gudis to appryis his landis, conforme to the Act of Parliament, to the avale and quantitie of the said sowme of ane thowsand merkis, and mak the said Alexander Newtoun to be payit thairof, conforme to the saidis letters obligatouris; or ellis to charge the said Robert to content and pay to the said Alexander the said sowme of ane thowsand merkis within ten dayis nixt eftir the said Robert be chargeit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the saidis ten dayis being bipast, to denunce him rebell and put him to the horne, and to escheit, etc.

At Perth, the xxiii day of Februare, the yeir of God j^{m}v^{c}lxxii yeris, the nobill and michtie Lordis underwrittin,—thay ar to say, Archibald Erll of Ergyle Lord Campbell and Lorne—Chancellar and Justice Generall of this realme, Johnne Erll of Montroise Lord Grahame, Williame Lord Ruthven Thesaurare to oure Soverane Lord, Robert Lord Boyd, Robert Commendatare of Dunfermling, Secretare to his Hienes, and Sir Johnne Bellenden of Auchnowle knycht Clerk of his Hienes Justiciarie, Commissionaris to his Hienes to the effect underwittin, constitute on the ane part; and George Erll of Huntlie Lord Gordoun and Badyenoch, for himself, his kin, freindis, servandis and partakaris now propirlie depending on him; and Lord Johnne Hammiltoun Commendatare of Abirbrothok for himself, and takand the burding upoun him for Lord Claude Hammiltoun his broder and all utheris, the kin, freindis, servandis and partakaris now propirlie depending upoun the Duke of Chestellarault thair fader and hous of Hammiltoun,—on the uther part.—Being convenit for treating upoun the removing of the publict troubles and civile weare within this realme, sa lang continewing thairin, to the displesour of God, the decay and dangeare of the trew religioun, the hurt and prejudice of oure Soverane Lordis authoritie royall, and to the confusioun of the lawis, polecy and haill estate of this commoun welth,—having heirunto the ernist motioun and solistatioun of the Quenis Majestie of Ingland, nerrest Princesse in the warld to his Hienes bayth be blude and habitatioun maid on hir Pacificatioun.

Hienes behalf, be the richt worschippfull Maister Henry Killegrew, esquier hir Hienes ambassadour,—eftir mature deliberatioun and advisement to the pleasour of Almichtie God, quha is the God of peace, incres and suirtie of the trew and Christian religioun and of the royall persoun and authoritie of oure Soverane Lord and commoun peace and quietnes of the realme,—hes convenit, concordit and concludit as eftir followis:

First, that all and quhatsumevir personis quhilk sall clame to enjoy ony benefite of this present pacificatioun, and of oure Soverane Lordis favour and pardoun to be grantit, sall acknawlege, affirme and profes the Confessioun of the Christian fayth and trew religioun of Jesus Chryst now publictlie preachit and professit within this realme, establissit and authorizit be the lawis and Actis of Parliament in the first yeir of oure Soverane Lordis regnne; and sall at the uttirmest of thair poweris, manteine fortifie and assist the trew Precheouris and Professouris of the Word of God, aganis quhatsumevir innemeis or ganestandaris of the same; and namelie aganis all sic, of quhatsumevir natioun estate or degre thay be of, that hes joynit and bund thame selffis, or hes assistit or assistis to set furthwart and execute the cruell decreis of the Counsall of Trent—quhilkis maist injuriouslie is callit be the adversaris of Goddis trewth the Haly League—contrair the precheouris and trew professouris of the Word of God.

That the said Erll of Huntlie and Lord Johnne Hammiltoun, for thame selffis and utheris abone specifiit, now submittand thame selffis to his Hienes obedience, and governament of James Erll of Mortoun Lord Dalkeyth present Regent to his Hienes his realme and liegis, or utheris Regentis to be lauchfullie constitute during his Hienes minoritie; for thame selffis, thair airis and successouris presentlie and in all tymes cuming, recognoscis his Hienes authoritie and regiment foirsaid, and acknawlegeis thame to be his Hienes detbund subjectis be thair aythis and subscriptionis; and sic of thame as hes thair vote in Parliament to gif thair assent thairto.

Thay grant and confes that all thingis done or assistit unto be thame, in name or be cullour of ony uther authoritie nor oure Soverane Lordis sen his Hienes coronatioun, aganis ony that professit his Hienes obedience for the tyme, hes bene unlauchfull, and is of na strenth force nor effect, and sal haif na executioun for ony tyme bigane or to cum.

That it salbe statute and ordanit be ane Act of Parliament, that nane of the subjectis of this realme sall directlie or indirectlie be thame selffis assist, fortifie, supple or schaw favour to, ony subjectis of this realme or strangearis, that sall privatelie practize or oppinlie pretend, ony tressonabill fact uprore or hostilitie aganis the trew religioun foirsaid, or the persoun of oure Soverane Lord or his said present Regent and royall authoritie in tyme cuming, under the panis of the law. And forder, in caise ony persoun now returning, or that sal happin to be ressavit to his Hienes obedience, dois in the contrair, and resistis not the tressonabill factis uproris and hostiliteis at the uttirmest of thair poweris, his Majesteis remissionis and pardonis presentlie to be grantit, nor na uther benefites of

the pacificatioun to be extendit in thair favouris thaireftir, bot thay to be persewit and puneist for thair offencis bipast, as gif na remissioun pardoun or pacificatioun had been grantit to thame thairfoir.

That all personis professing his Hienes obedience, dispossest of houssis during the troublis, salbe presentlie repossest to thair houssis, levingis, benefices, landis, takkis, rentis and cornis; as alsua to all gudis movabill now extant in the possessioun of the first intromettouris thairwith except horssis and armour; and for execution heirof gif neid be, and for repossessing of personis dispossest of houssis, that oure Soverane Lordis letters be direct be the said Lord Regent within sex dayis eftir the charge, under the pane of tressoun or horningis; and for levingis, that letters be direct be the Lordis of Counsale and Sessioun summarilie without ony calling.

That the hous of Spyne salbe randerit and deliverit to oure Soverane Lord and his Regent foirsaid quhen it salbe requirit on xv dayis warning, without prejudice of ony partiis rycht.

That the Maister of Forbes, James Glen of the Bar and his sonnis, and all utheris presonaris, be presentlie with all possibill diligence, eftir the publicatioun of this present pacificatioun, set at libertie; that the Lord Sympillis band and all utheris bandis for entre of presonaris, or bandis or promeissis for payment of ransonis in ony tyme bigane preceding the date heirof, be fre and dischargeit be vertew of this present pacificatioun.

That all thingis promissit be abstinence salbe performit and repairit, and all thingis to the contrair thairof fullie restorit, redressit and repairit, according to the sympill avale, at the sicht and discretioun of Johnne Erll of Montroise Lord Grahame, Johnne Lord Glammis and Sir Johnne Wischert of Pittarro knycht, conjunctlie, for all attemptattis committit aganis the said abstinence be north the watter of Tay; and thay to sit in the burgh of Perth. And Robert Lord Boyd, and Mark Commendatare of Newbottill, and Sir Johnne Bellenden of Auchnowle knycht Justice Clerk, conjunctlie, for all attemptattis committit aganis the said abstinence be sowth the watter of Tay; and thay to sit in the burgh of Edinburgh without limitatioun of tyme, in respect of nonpubliccatioun of the said abstinence at certane places, saulffing at the discretioun of the jugeis as thay sall try, ex equo et bono. And thay sall decerne within ane yeir eftir the intentioun and persute of the actioun; and compulsatouris salbe direct at the instance of ayther of the partiis be the Lordis of Sessioun or utherwayis for compelling of the saidis jugeis to decerne within the said space. And gif the partiis skaythit intentis and persewis not within the yeir and day eftir the publicatioun of this pacificatioun, that than thay tyne thair actionis for ony thing attemptit aganis thame sen the according to the said abstinence; and na wayis to be hard to persew thairfoir befoir utheris jugeis in ony tyme thaireftir; and in caise the saidis jugeis or ony of thame inlaik or accept not, that utheris be aggrement may be put in thair places; and that alwayis na utheris jugeis have power to cognosce or decyde in the saidis materis.

That the saidis Erll of Huntlie and Lord Johnne Hammiltoun sall presentlie brek and discharge thair men of weare, swa that thay may returne to thair awin dwellingis.

And forsamekill as for the bettir assurance of the personis now returning to oure Soverane Lordis obedience and observatioun of the conditionis abone specifiit, plegeis had been requirit of thame, as alsua cautionaris and sourteis to be bund with thame selffis for thair debtfull obedience in tyme cuming; the saidis Erll of Huntlie and Lord Johnne Hammiltoun hes, at the sute and requeist of the Quenis Majestie of Englandis ambassadour foirsaid, referrit thame selffis in the will and discretioun of the said Lord Regent, as towart the entre and delivery of the saidis plegis; and ar alwayis content to find the saidis cautionaris and souirteis bund with thame selffis under sic panis as the said Lord Regent sall ressonabillie prescryve. In respect of the quhilkis conditionis aggreit unto and of suirtie to be maid for performance thairof, it is accordit for the suirtie of the saidis personis now returning to oure Soverane Lordis obedience,—upoun wechtie and gude considerationis, tending to the furthsetting and establissing of peace and quietnes and the universall obedience of his Hienes authoritie, and for thair dew obedience to be maid and observit be thame in tyme cuming,—that be Act of Parliament it salbe decernit and declarit that the processis and sentences past be dome of forfaltour,—alsweill in Parliament as befoir the Justice and his deputtis at particular dyettis and justice courtis,—as alsua all horningis and penalteis following thairupoun, quhilkis hes bene led and deduceit—aganis the saidis George Erll of Huntlie, and Lord Johnne Hammiltoun Commendatare of Abirbrothok, Lord Claude Hammiltoun his broder Commendatare of Paslay, Williame Bischop of Abirdene, Alexander Bischop of Galloway, Adam Gordoun of Auchindoun, Andro Hammiltoun of Goslingtoun knycht, Johnne Hammiltoun of Stanehous, Alexander Hammiltoun of Innerwik, George Barclay of that Ilk, James Hammiltoun of Rouchbank, James Hammiltoun of Wodhall, Johnne Hammiltoun of , Gawin Hammiltoun of Raploch, Robert Hammiltoun of Garein and Johnne Hammiltoun his broder, Maister James Hammiltoun in Neilisland, Andro Hammiltoun of Lekprevik, Alexander Hammiltoun of Nethirfeild, Johnne Hammiltoun of Culcoit, Arthour Hammiltoun of Mirretoun, David Hammiltoun of Montoun Manys, James Hammiltoun of Burnbray, Archibald Hammiltoun and Andro Hammiltoun brethir sonnis to umquhile Andro Hammiltoun of Cochno, Thomas Hammiltoun of Preistisfeild, James Hammiltoun of Sproustoun, James Mureheid of Lauchop, Alexander Baillie of Littill Gill, Williame Baillie of Cornustoun, James Glen of the Bar, and Williame Glen his sone,—or ony of the saidis personis, befoir the Justice and Regentis Grace and Lordis of the Prevy Counsale for ony crymes done in the commoun caus, contrair his Hienes and his authoritie, or ony thing depending thairupoun sen the xv day of Junii, the yeir of God j^{m}v^{c}lxxii yeris,—or for any uther caussis or crymes contenit in the summondis of tressoun, processis, sentences and domes foirsaidis led aganis thame sen the said xv day,

—sal haif na executioun, bot be void, of nane avale force nor effect, in all tyme cuming, without ony proces of speciall reductioun or uther declaratioun to follow thairupoun; and that the said Act of Parliament salbe als valiabill in all respectis as gif the saidis processis, sentences, domes of forfaltour, horningis and penalteis following thairupoun wer reduceit ordinarlie upoun summondis, all partiis havand interes being callit.

And this present article to extend to all utheris personis forfaltit propirlie comprehendit under this pacificatioun; that thay alsua sal haif his Hienes licence and favour to reduce thair forfaultouris for sic ressonabill caussis as thai can libell.

And towart the escheittis of thair movabill gudis, fallin throw ony crymes committit in the said commoun caus or depending thairupoun, or for ony uther caussis or crymes contenit in the saidis summondis of tressoun, processis, sentences, or domes forsaidis led aganis thame thairupoun, the same sall remane with thame selffis. Providing alwayis that all gudis movabill and dettis intromettit with and uptakin—and thairupoun decreit wes obtenit be vertew of escheit in tyme bigane befoir the according of the said abstinence, upoun the penult day of Julii last bipast—sall remane with the donatouris of the same and intromettouris thairwith, and all panis and unlawis restand untakin up or not intromettit with for nonentres of the saidis personis or ony of thame to underly the law, or for noncomperance befoir the Regentis and Lordis of Secreit Counsale in tyme bigane, to be simpliciter dischargeit be vertew of the said Act.

Item, be Act of Parliament it salbe declarit that all sic personis now returning to the Kingis obedience, or that hes returnit thairto during the troublis past,—quhilkis be forfaltour, actis or decreittis of the Prevy Counsale or Sessioun, for crymes committit in the said commoun caus or barratry sen the said xv day of Junii 1567,—hes bene dispossest of thair landis, heretages, benefices, pensionis of benefices, heretabill offices, takkis, stedingis, possessionis of landis, teindis or levingis quhatsumevir,—salbe restorit effectualie to thair possessioun thairof and rehabilitat to thair bludis and honouris, to enjoy the same als frelie as thay did at ony tyme heirtofoir, and as gif the troublis bigane had nevir happynnit, nochtwithstanding ony proces or sentences be dome of forfaltour past owther in Parliament or befoir the Justice or his Deputtis at particular dyettis and justice courtis, or ony utheris horningis and penalteis following thairupoun quhatsumevir preceding upoun the said commoun caus. And for executioun heirof and repossessing of personis dispossest of houssis, that oure Soverane Lordis letters be direct be the Regent within sex dayis, under the panis of tressoun or horning; and for levingis that letters in the four formes be direct be the Lordis of Sessioun summarlie without ony calling, the personis craving to be repossest alwayis first making thair obedience be thair aithis and subscriptionis, and finding of cautioun and souirtie as is befoir specifiit.

Item, as twicheing the article requiring that ane Act sall pas in Parliament declaring the saidis personis to be frelie remittit and dischargeit of all actionis, crymes, transgressionis or offencis quhatsumevir committit be thame

or ony of thame in tyme bigane in the said commoun caus—or ony thing depending thairupoun—sen the said xv day of Junii 1567, aganis quhatsumevir personis being on the contrair syde and professing ane uther authoritie for the tyme (incest, witchecraft, and thift exceptit), the same article is aggreit and condiscendit unto, saulffing in safar as the same may extend to the murtheris of umquhile the Erll of Murray uncle and umquhile the Erll of Levinax guidsire, lait Regentis to his Hienes, his realme and liegis,—quhilkis ar materis of sic wecht and importance as the said Lord Regent of him self can not convenientlie remit thame; yit in respect of the present necessitie of the pacificatioun, it is accordit that the mater of remissioun of the saidis murthouris being movit be the personis cravand the said remissioun to the Quenis Majestie of Ingland, being Princes in the warld nerrest to oure Soverane Lord bayth be blude and habitatioun, quhatsoevir schö sall advise and counsall twicheing the said remissioun of the saidis murthouris, the said Lord Regent, with avise of Parliament, for the weill of oure Soverane Lord and universall quietnes of the haill realme, sall performe, observe and fulfill the samyn; quhilk remissioun in forme of Act of Parliament subscrivit with the Clerk of Register salbe als gude and sufficient to the saidis personis and ilkane of thame, as gif remissioun wer past to thame in speciall under the Greit Seill in dew forme, or thay sal haif the said remissioun under the Greit Seill as best sall pleis thame.[1]

And gif ony of thame desyris ane remissioun for ony crymes preceding the said xv day of Junii 1567, the samyn salbe grantit to thame, the personis and crymes being notifiit,—the murthour of the King oure Soverane Lordis fader, and all utheris murthouris, fyre rasing, thift, resset of thift, incest and wicecraft allenarlie exceptit.

Item, for civile processis past during the troublis sen the xv day of Junii 1567, quhairwith the saidis personis or ony of thame findis thame selffis grevit or injurit, salbe be the jugeis ordinaris gevaris of the decreittis; and the partiis upoun thair supplicationis salbe hard to propone ony lauchfull defence that thay mycht have usit the tyme of the deductioun of the processis, or gif thay may allege ony nullitie to have bene in the deductioun thairof, thay salbe alsua hard thairupoun be supplicatioun alsweill as be way of reductioun, providing that the personis allegeing tham selffis grevit and injurit intent and execute thair summondis, preceptis or supplicationis for that caus within sex monethis eftir the dait heirof; and in the menetyme all executioun to ceis upoun cautioun or consignatioun at the discretioun of the jugeis, etc.

Item, as for the frutis and movabill gudis owther pertening to his Hienes or his subjectis, quhilkis the saidis personis now returning to the Kingis obedience hes takin fra personis professing his Majesteis authoritie, or dampnageis or skaythis done or committit be thame sen the said xv day of Junii 1567, preceding the according to the abstinence upoun the penult day of Julii last bipast, throw the said commoun caus or ony thing

[1] "Act of Parliament." No Act answering to this promise is in the printed collection of the Statutes.

depending thairupoun aganis quhome thay stude in contraversy and debate,—becaus the materris ar of sic wecht and importance, it is accordit that the same being movit to the Quenis Majestie of England, quhatsoevir schö sould avyise and counsall thairanent, the said Lord Regent sall performe, fulfill and observe the same, with consent of Parliament.

The rentis, fewfermis and males of the landis of Pettindreich and thridis of Duffus in Murray, being ane part of oure Soverane Lordis propirtie intromettit with and uptakin be the said Erll of Huntlie or ony in his name, in ony tyme begane, is be vertew of this present pacificatioun frelie remittit and dischargeit.

And as twicheing the thirdis of the benefices, commoun kirkis or freir landis likewyis intromettit with and uptakin be the said Erll of Huntlie or Lord Johnne Hammiltoun or ony in thair names during the troubles, the said Lord Regent sall make sute to the Kirk at the Generall Assemble thairof, for procuring of sic discharge of the same rentis as may be had, the said Erll of Huntlie doing the lyke, speciall declaratioun being maid be the saidis Erll and Lord Johnne quhat is intromettit with and takin up in thair names.

That all men comprehendit under this pacificatioun eftir the publicatioun thairof be indifferently ressavit and interteneit as the remanent of oure Soverane Lordis liegis ower all the partis of this realme; and that na thing done or occurrit during the troublis in the said commoun caus, or ony thing depending thairupoun, be comptit as deidlie feid in jugement, nor be ony exceptioun, aganis juge, partie, assessoris, witnessis or utherwayis.

That the airis and successouris of the personis forfaltit propirlie comprehendit under this pacificatioun and now departit this lyff, salbe restorit rehabilitat and maid lauchfull to entir be brevis to thair landis and possessionis, and to exerce all lefull deidis in jugement and outwith, nochtwithstanding the forfaltouris led aganis thair faderis or predicessouris, and as thay had and deit at oure Soverane Lordis fayth and peace; and specialie of umquhile Johnne Archbischop of Sanctandrois, Gawin Commendatare of Kilwynning, Andro Hammiltoun of Cochnoch, Johnne Hammiltoun his sone, and Capitane James Culane; and ane Act of Parliament to pas heirupoun.

That the capitanis of men of weare underwrittin, with the memberis of thair cumpaneis, salbe comprehendit under this pacificatioun, as alsua the suddartis and men of weare quhilkis servit under thair charges, for attemptattis, deidis of hostilitie, and crymes, committit during the troublis and befoir the last day of Julii last bipast; being alwayis subject to answer for all thingis done sen the abstinence wes accordit unto, as the remanent subjectis of this realme,—thay ar to say Capitane James Bruce, Johnne Hammiltoun in Kilbowye his Lieutenent, Johnne Robesoun in Braidwodsyde his Handsenye, Capitane Thomas Ker, James Arbuthnot his Lieutenent, Thomas Dawling his Handsenye, Capitane Gilbert Wauchop, Mathow Aikman his lieutenent, Corporell Jennet his Handsenye, Robert Craufurde callit Gantellattis, James Oliphant.

And that the articles and conditionis befoir specifiit salbe forder extendit gif neid be in sic forme as may seame for the suretie of the personis now returning to oure Soverane Lordis obedience, the substance not being alterit, and that it may be amply interpreit and extendit in favouris of the foirnemmit personis now returning to oure Soverane Lordis obedience, for the sufficient suretie of thair landis, levingis, portionis of benefices, honouris, and gudis movabill and unmovabill, fra quhatsumevir dangeare or calumpny that ony wayis may tend to thair hurt and prejudice.

Be it alwayis understand that this present pacificatioun nor na benefite of the samyn extendis to ony personis presentlie absent and furth of the realme, nor to ony personis specialie exceptit in the first abstinence accordit unto the penult day of Julii last bipast.

Quhilk haill articles and conditionis of this present pacificatioun accordit unto in maner and forme as is abonespecifiit, oure Soverane Lordis Commissioneris, as alsua the uther nobill men abone mentionat, solempnitlie promeist and sweare the trew intentioun and faythfull performance and observatioun of the samyn in tyme cuming in presens of the Quenis Majestie of Inglandis ambassadour foirsaid; and in sicht and witnessing of the same hes subscrivit thir presentis with thair handis; and his Hienes Commissionaris hes deliverit to the said Erll of Huntlie and Commendatare of Abirbrothok thair commissioun under his Hienes greit seill, and the said Commendatare promeissis on his honour that Lord Claude Hammiltoun his broder sall approve and subscrive alsua the articles and conditionis of the pacificatioun befoir specifiit.

And mairatour it is accordit that na horningis for payment of thridis, execute aganis the personis now returning to the Kingis obedience during the troublis, be valiabill, bot this present pacificatioun to be als sufficient relaxatioun fra all the saidis horningis as gif thay wer specialie relaxt, without prejudice to execute the chargeis and denunciationis of letters past be decreittis or deliverance of the Lordis of Sessioun of new; and this article to extend for all horningis execute for every thing done in the said commoun caus, or depending thairupoun, or for non comperance befoir the Regentis and Lordis of Prevy Counsall. Sic subscribitur. Archibald Erll of Erglye. Huntlie. Montroise. J. H. Arbroth. Ruthven. R. Boyd. R. Dunfermling. Bellenden.

Apud Edinburgh, xxv Februarii, anno, etc. lxxii°.

Ard. Aitkin. Garden. Anent the terme assignit be my Lord Regentis Grace and Lordis of Secreit Counsale to Archibald Aitkin indwellar of Alloway, to preif the pointis of the letters purchest be him be deliverance of the saidis Lordis of Secreit Counsale aganis Alexander Forrester of Garden, for warrandice to the said Archibald of threttene chalderis and aucht bollis meill, and refounding to him of the pryces thairof acclamit be him fra the said Alexander; the said Alexander being personalie present, and the said Archibald siclyke comperand personalie, producit our Soverane Lordis letters dewlie execute

and indorsat upoun Gilbert Balfour of Westraw, Johnne Barclay, Robert Forrester, Johnne Forrester, Robert Portarfeild, Duncane Smetoun, Robert Forester burges of Hadingtoun, David Nicholl, Duncane Galbrayth, James Tailyeour, Thomas Baill and George Greg, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale foirsaidis, to have borne leill and suithfast witnessing in sa far as thay knaw or sould have bene sperit at thame in the said mater, under the pane of rebellioun, with certificatioun to thame and thay failyeit thairin, that letters sould be direct simpliciter to put thame to the horne. Quhilkis being callit and the saidis David Smetoun, David Nicholl, James Tailyeour and John Barclay comperand personalie and being reveuit, sworne, and admittit, and the remanent personis witnessis abone writtin not comperand; my Lord Regentis Grace and Lordis of Secreit Counsale, continewis the said mater in the samyn forme force and effect as it is now, but prejudice of partie unto the xvii day of Marche nix to cum; and ordanis the said Archibald to have letters to summond the personis witnessis abonewrittin quhilkis wer summondit of befoir and comperit not, to compeir the said day to the effect foirsaid, under the pane of rebellioun; and failyeing thairof to put thame to the horne, becaus thay wer summond of befoir as said is; and siclyke to produce sic uther rychtis writtis and documentis, and to summond sic uther witnes and probatioun, as he will use for preving of his intent in the said mater agane the said day, under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thay failye, letters salbe direct simpliciter: bayth the saidis partiis warnit heirto apud acta.

Apud Edinburgh, penultimo Februarii, anno, etc. lxxii°.

Sederunt—

Jacobus Dominus Regens.	Adam Episcopus Orchadensis.
Joannes Dominus Glammis.	Commendatarius Dunfermling.
Robertus Dominus Boyd.	Clericus Registri.
Allanus Dominus Cathcart.	Clericus Justiciarie.

Proclamatioun for keping of the Pacificatioun.

Forsamekill as at the lait Conventioun in the burgh of Perth, betuix Archibald Erll of Ergyle Lord Campbell and Lorne—Chancellar and Justice Generall of this realme, Johnne Erll of Montroise Lord Grahame, Williame Lord Ruthven Thesaurare to our Soverane Lord, Robert Lord Boyd, Robert Commendatare of the Abbay of Dunfermling his Hienes Secretare, and Sir Johnne Bellenden of Auchnowle knycht Clerk of his Majesteis Justiciarie—Commissionaris of his Hienes specialie constitute, on the ane part; and George Erll of Huntlie Lord Gordoun and Badyenoch for him self, his kin, friendis, servandis and partakaris now propirlie depending upoun him, and Lord Johnne Hammiltoun Commendatare of the Abbay of Abirbrothok for him self,—and takand the burding on him for Lord

Claude Hammiltoun his broder, and all utheris the kin, freindis, servandis and partakaris now propirlie depending on the Duke of Chestellarault thair fader and hous of Hammiltoun, on the uther part; tuicheing the removing of the publict troubles and civile weare within this realme, sa lang continewing thairin, to the displesour of God, the dekay and dangeare of his trew religioun, the hurt and prejudice of oure Soverane Lordis authoritie royall, and to the confusion of the lawis, policy and haill state of this commoun welth; having heirunto the ernist motioun and solistatioun of the Quenis Majestie of England, nerrest Princesse in the warld to his Hienes bayth be blude and habitatioun, maid on hir behalf be hir ambassadour now resident in this realme. Eftir mature deliberatioun and avisement, to the pleasour of Almichtie God, quha is the God of peace, incres and suretie of the estate of the trew and Christian religioun and of the royall persoun and authoritie of oure Soverane Lord and commoun peace and quietnes of the Realme, thay have convenit, concordit and concludit on diverse articles and conditionis of pacificatioun, and specialie that the personis now submittand thame to his Hienes obedience, and governament of James Erll of Mortoun Lord Dalkeyth present Regent to his Majestie, his realme and liegis—or utheris Regentis to be lauchfullie constitute during his Hienes minoritie presentlie and in all tyme cuming, for thame thair airis and successouris, hes recognoscit and recognoscis his Majesteis authoritie and regiment foirsaid, and acknawlegeit thame to be his detbund subjectis; and hes alsua grantit and confessit, all thingis done or assistit to be thame in name or be cullour of ony uther authoritie nor oure Soverane Lordis sen his Hienes coronatioun aganis ony that professit his Majesteis obedience for the tyme, hes bene unlauchfull, and is of na strenth force nor effect, and sal have na executioun for ony tyme bigane or to cum; that all personis professing his Hienes obedience dispossest during the troubles, salbe presentlie repossest to thair houssis, levingis, benefices, landis, takkis, rentis and cornis, as alsua to all gudis movabill now extant in the possessioun of the first intromettouris thairwith, except horssis and armour; that the Maister of Forbes, James Glen of the Bar and his sonnis, and all utheris presonaris be presentlie, with all possible diligence, eftir the publicatioun of the pacificatioun, set at libertie; that the Lord Sympillis band and all utheris bandis for entre of presonaris, or bandis or promeissis for payment of ransonis in ony tyme bigane befoir the dait heirof, be fre and dischargeit; that all thingis promissit be abstinence salbe performit and all thingis to the contrary thairof fully restorit, redressit and repairit, according to the sympill avale, at the sicht and jugement of Johnne Erll of Montroise Lord Grahame, Johnne Lord Glammis, and Sir Johnne Wischert of Pittarro knycht, conjunctlie, for all attemptattis committit aganis the said abstinence be north the watter of Tay; and thay to sit in the burgh of Perth; and of Robert Lord Boyd, Mark Commendatare of Newbottill and Sir Johnne Bellenden of Auchnowle knycht Justice Clerk, for all attemptattis committit aganis the said abstinence be sowth the watter of Tay; and thay to sit in the burgh of

Edinburgh without ony limitation of tyme, in respect of the nonpublicatioun of the said abstinence at certane places, saulffing at the discretioun of the jugeis as thay sall try ex equo et bono; and that thay sall decerne within ane yeir eftir thair intentioun and persute of the actioun; and that compulsatouris salbe direct at the instance of ayther of the partiis be the Lordis of Sessioun or utherwayis, for compelling of the saidis jugeis to decerne within the said space. And gif the partiis skaithit intentis and persewis not within yeir and day eftir the publicatioun of the pacificatioun, that thay tyne thair actionis for ony thing attemptit aganis thame sen the according to the said abstinence; and na wayis to be hard to persew thairfoir befoir utheris jugeis in ony tyme thaireftir. And in caise the jugeis or ony of thame inlaik or accept not, that utheris be agrement be put in thair places, and that alwayis na utheris jugeis have power to cognosce and decyde in the saidis materis; that the saidis Erll of Huntlie and Lord Johnne Hammiltoun sall presentlie brek and discharge thair men of weare, swa that thay may returne to thair awin dwellingis; that all civile processis past during the troublis quhairwith the personis or ony of thame now returning to oure Soverane Lordis obedience, findis thame selffis grevit or injurit, salbe renewit be the Jugeis ordinaris gevaris of the decreittis, and the partiis upoun thair supplicationis salbe hard to propone ony lauchfull defence that thay mycht have usit the tyme of the deductioun of the proces; or gif thay may allege ony nullitie to have bene in the deductioun thairof, thay salbe alsua hard thairupoun be supplicatioun alsweill as be way of reductioun; providing that the personis allegeing thame grevit and injurit intent and execute thair summondis, preceptis, or supplicationis for that caus within sex monethis eftir the dait heirof, and in the menetyme all executioun to ceise upoun cautioun or consignatioun at the discretioun of the jugeis. That all men comprehendit under the said pacificatioun eftir the publicatioun thairof be indifferentlie ressavit and interteneit as the remanent of oure Soverane Lordis fre liegis ower all partis of this realme; and that na thing done or occurrit during the troublis in the said commoun caus or ony thing depending thairupoun be comptit as deidlie feid in jugement, nor be ony exceptioun aganis juge, partie, assysouris, witnessis or utherwayis; that na horningis for payment of thridis execute aganis the personis now returning to the Kingis obedience during the troublis be valiabill, bot the said pacificatioun to be als sufficient relaxatioun fra all the saidis horningis,as gif thay wer specialie relaxt, without prejudice to execute the chargeis and denunciationis of letters past be decreittis or deliverance of the Lordis of Sessioun of new. And that it be alwayis understand that the said pacificatioun nor na benefite of the same extendis not to ony personis presentlie absent and furth of the realme, nor to ony personis specialie exceptit in the first abstinence accordit unto the penult day of Julii last bipast, with diverse utheris articles, claussis, and conditionis, alsweill for the obedience of oure Soverane Lord and his authoritie, as for the suirtie of the personis returnit to his Hienes obedience; lyke as the said pacificatioun in the self at mair

lenth proportis; quhilk oure Soverane Lord, with avise of my Lord Regentis Grace and Lordis of his Hienes Prevy Counsale, hes fund weill and sufficientlie done be the nobill men and utheris his Hienes commissionaris, and hes allowit and approvit the same in all pointis. Thairfoir, my Lord Regentis Grace, with avise of the saidis Lordis of Prevy Counsale, ordanis letters to be direct, to mak publicatioun of the premissis at the marcat croces of the Heid Burrowis of this realme, and utheris places neidfull, that nane pretend ignorance of the same; and to command and charge all and sindry his Hienes liegis to observe his Majesteis peace, and on na wayis to do and attempt ony thing tending to the violatioun thairof and disturbing of the publict quietnes under all hieast pane, charge and offence that thay and ilkane of thame may commit and inrin aganis his Majestie in that part.

Proclamation of the Parliament.

The quhilk day my Lord Regentis Grace, with avise of oure Soverane Lordis Prevy Counsale, for diverse wechtie caussis and considerationis moving thame, tending to the avancement of oure Soverane Lordis authoritie and service, and commoun weill and quietnes of the realme, ordanis his Hienes Parliament now rynnand to begin and of new to be fensit and haldin in the tolbuith of Edinburgh the xxiiii day of Apryle nix to cum, with continewatioun of dayis; and thairfoir ordanis letters to be direct, to mak publicatioun heirof at the marcat croce of Edinburgh and all utheris places neidfull, and to command and charge all and sindry his Hienes liegis that hes to follow or defend in the said Parliament, or that aw sute and presence thairin, that thay compeir the saidis day and place, with continewatioun of dayis, to do and performe that quhilk of dewitie thay aucht under all hieast pane and charge that eftir may follow.

Apud Edinburgh, primo Marcii, anno, etc. lxxii°.

Cautioun for Robert Balfour.

The quhilk day George Balfour Pryour of the Charterhouse, and Gilbert Balfour of Westray his broder become actit and obleist, conjunctlie and severalie, that Robert Balfour thair broder, now plege within the Castell of Dunbartane, sall reentir agane in ward within the said Castell in sic forme and conditioun as he presentlie remanis, quhen the said Robert or his saidis cautionaris salbe requirit thairto on xv dayis warning, under the pane of twa thowsand pundis. Sic subscribitur. George Balfour Pryour.

Cautioun for Maister Johnne Moscrop.

The quhilk day Maister Thomas Makcalyeane of Cliftounhall and Williame Broun burges of Edinburgh, ar becum cautionaris and souirteis, conjunctlie and severalie, for Maister Johnne Moscrop advocat and Patrik Moscrop his sone, that thay sall not, directlie nor indirectlie, do nor attempt ony thing in hurt or prejudice of oure Soverane Lord, his authoritie, realme and liegis; and in speciall that thay sall not resset, supple, or intercommoun be letters or utherwayis with ony the declarit tratouris and rebellis now

being within the Castell of Edinburgh, nor yit with Thomas Ker sumtyme of Fairnyhirst, his complices and partakaris, quhill the first day of Apryle nix to cum, under the pane of twa thousand pundis; and the saidis Maister Johnne and Patrik obleist thame to releif thair saidis cautionaris of the premissis. Sic subscribitur. Thomas Makcalyeane. Williame Broun. Maister Johnne Moscrop. Patrik Moscrop.

Apud Edinburgh, septimo Marcii, anno, etc. lxxii°.

Anent oure Soverane Lordis letters rasit at the instance of Jonet Heriott, relict of umquhile Johnne Achesoun, makand mentioun;—that Stevin Urde, servand to James Heriott of Trabroun, within this quarter of ane yeir last cruellie straik the said Jonet upoun hir schulder blaid with the kavill of ane mylne, and mutilat hir of hir left arme and schulder, and left hir for deid. And anent the charge gevin to the said James Heriot to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and to bring and present with him the said Stevin his servand, to answer to the complaint abone expremit, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun, thairof. Quhilkis being callit, the said Jonet Heriot comperit personalie, and the said James Heriot and the said Stevin Urde his servand being alsua personalie present,—the said Stevin denyit the stryking of the said Jonet as is libellit, or that he offerit ony straikis to hir; quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis, admittis the same to the said Jonettis probatioun, and assignis to hir the xiiii day of Marche instant for preving thairof, and ordanis hir to have letters to summond sic witnessis as schö will use agane the said day, under the pane of rebellioun, etc., with certificatioun, etc., and in the menetyme continewis the said mater in the samyn forme, etc., bayth the partiis warnit heirto apud acta. Jonet Heriot. Trabroun.

Apud Edinburgh, octavo Marcii, anno, etc. lxxii°.

The quhilk day, Robert Hendirsoun chirurgiane, and Johnne Murdo tailyeour, burgessis of Edinburgh, ar becum actit and obleist, and be the tennour heirof obleissis thame as cautionaris and souirteis, conjunctlie and severalie, for Robert Kirkcaldy, sumtyme portar of the Castell of Edinburgh, that he sall depart out of this burgh of Edinburgh and remane within the boundis of the sherefdome of Fyff, and on na wayis depart furth of the same without speciall licence of oure Soverane Lord and my Lord Regentis Grace obtenit to that effect; and als that the said Robert sall na wayis ressave nor send intelligence to nor fra the Castell of Edinburgh, nor do or attempt ony thing in hurt or prejudice of oure said Soverane Lord, Caution for Robert Kirkcaldy.

his Regent and authoritie, under the pane of ane thousand markis. Sic subscribitur. Robert Henrysoun, with my hand. Johnne Mordo.

Apud Edinburgh, nono Marcii lxxii°.

Caution for Maister Stevin Wilsoun.

The quhilk day, James Striveling of Keir knycht, become actit and obleist to entir and present Maister Stevin Wilsoun vicar of Kirkcaldy, befoir my Lord Regentis Grace and Lordis of Secreit Counsale, as the said James salbe chargeit thairto personalie or at his dwelling place upoun sex dayis warning; and als that the said Mr. Stevin sall na wayis ressave nor send intelligence to nor fra the Castell of Edinburgh, nor do or attempt ony thing in hurt or prejudice of our Soverane Lord, his Regent and authoritie, under the pane of ane thousand pundis; and Archibald Erll of Ergyle Lord Campbell and Lorne, and the said Maister Stevin, band and obleist thame, conjunctlie and severalie, to releif the said James Striveling of the said cautioun and of all pane, etc. Sic subscribitur. Archibald Ergyle. James Striveling of Keir. Maister Stevin Wilsoun.

Apud Edinburgh, decimo Marcii, anno, etc. lxxii°.

Caution for William Flemyng.

The quhilk day, James Striveling of Keir and Alexander Bruce of Airth become actit and obleist, conjunctlie and severalie, as cautionaris and souirteis for Williame Flemyng commendatare of Quhitherne, that the said Williame sall trewlie serve and obey the Kingis Majestie oure Soverane Lord, his Regent and authoritie, as becumis a dewitifull subject, conforme to the poyntis of the generall band subscrivit be the said Williame this present day, under the pane of fyve thowsand markis; and Johnne Erll of Montroise Lord Grahame, obleist him to releif the saidis souirteis of the premissis; and the said Williame and Johnne Flemyng of Carwod his fader, obleist thame to releif the said Erll of Montroise. Sic subscribitur. Jhone Erll of Montroise. James Striveling of Keir. Alexander Bruce of Airth. Williame Flemyng Commendatare of Quhitherne. Johne Flemyng.

Apud Edinburgh, xii Marcii, anno, etc. lxxii°.

Sederunt—

Jacobus Dominus Regens.
Archibaldus Comes Ergadie Cancellarius.
Joannes Comes de Montroise.
Willelmus Dominus Ruthven.
Robertus Dominus Boyd.
Allanus Dominus Cathcart.
Episcopus Orchadensis.
Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Proclamatioun anent transporting of Passingeris.

Forsamekill as my Lord Regentis Grace and Lordis of oure Soverane Lordis Secreit Counsall understandis that sindry passingeris travellis be sey out

of this realme, and diverse passingeris, strangearis and native borne subjectis of the same, ar transportit furth of uther cuntreis and brocht within this realme, careing to and fra tressonabill and dangerous letters and messages, to the hurt and prejudice of the trew religioun and of the royall persoun and authoritie of oure Soverane Lord and his gude subjectis. For remeid quhairof, ordanis letters to be direct to command and charge all and sindry maisteris skipparis and awnaris of all schippis and caryaris within this realme, be oppin proclamatioun at the marcat croces of Edinburgh, Schoir and Peir of Leith, the burrowis of Abirdene, Montroise, Dunde, Sanct Androis, Carraill, Pettinweme, Anstruder, Sanct Monanis, Dysert, Kirkcaldy, Kingorne, Brintiland, Quenisferry, Dunbartane, Air, Irwing, Quhitherne, Kirkcudbrycht, and all utheris places neidfull, that nane of thame tak upoun hand to cary furth of this realme ony maner of passingeris without speciall licence of my Lord Regentis Grace, nor yit to bring ony maner of passingeris within the samyn out of foreyn cuntreis, strangearis or utheris, without first thay present thame and thair letters befoir my Lord Regentis Grace, under the pane of confiscatioun of the schippis or veschellis of all personis that sall do in the contrair, with all utheris the movabill gudis of the maisteris skipparis and awnaris of the saidis schippis and veschellis.

James Lawder. Robert Lawder of Bass.

Anent oure Soverane Lordis letters rasit at the instance of Maister James Lawder Dene of Restalrig, makand mentioun;—that quhair Robert Lawder of Bass his fader in the moneth of December last bipast tuke and apprehendit him, and as yit haldis and detenis him in strict firmance and presoun within his place of Beill—the said Maister James being oure Soverane Lordis fre liege man—and will not suffer him to pas at his fredome and libertie at his pleasour without he be compellit. And anent the charge gevin to the said Robert Lawder of Bass, to put the said Maister James to fredome and libertie furth of the said ward quhairin he detenis him as said is, and to suffer him to pas quhair he plesis within thre dayis nixt eftir the charge, under the pane of rebellioun and putting of him to the horne; or ellis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast and schaw ane ressonabill caus quhy he sould not do the samyn, with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, Moreis Lawder comperand for the said Maister James, and the said Robert Lawder comperand be Maister Edmond Hay his procuratour, thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avysit thairwith, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Robert Lawder to put the said Maister James to libertie and fredome furth of the said place, and suffer him to pas quhair he plesis within thre dayis nixt eftir the said Robert be

chargeit thairto, under the pane of rebellioun, and gif he failye, to denunce him rebell and put him to the horne, and to escheit, etc.

Maister Johnne Rutherfurde. Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be Maister Johnne Rutherfurde Provest of Sanct Salvatouris College within the citie of Sanctandrois, makand mentioun;—that quhair upoun the xix day of Januare, the yeir of God j^{m}v^{c} thre scoir ten yeris, he disponit to James Fiddes puyr student within the said College ane chapellanerie of Sanct Johnne the Evangelist, with the rentis and dewiteis pertening thairto, foundit within the said college, for sum support to him in claythes and bukis, quhilk vaikit be deceis of umquhile Sir Johnne Broun chaiplane and possessour thairof, the said chaiplanerie pertening justlie to the donatioun of the said Maister Johnne as Provest foirsaid jure devoluto, according to the tennour of the foundatioun thairof.

Mr. Johnne Winframe. Nevirtheles Maister Johnne Winrame Superintendent of Fyff, thaireftir allegeing the presentatioun of the said chaiplanerie to have pertenit to the abbot of Lundoris, obtenit be his meanys and procuring oure Soverane Lordis presentatioun, presenting Maister Robert Wilky his cousing, in Sanct Leonardis College, to the chaiplanerie foirsaid, and thairupoun collatioun and institutioun of the said superintendent; and thairthrow, and be purchessing of letters befoir the Lordis of Sessioun, hes stoppit and debarrit the said James puyr student foirsaid fra the said chaiplanerie and answering of the rentis thairof continewalie sen the donatioun foirsaid maid be the said Maister Johnne Rutherfurde thairof, to the greit hurt and prejudice of the rycht and privilege of the said college, and him, Provest thairof, having just and undoutit rycht to the donatioun of the said chaiplanerie, conform to the foundatioun thairof, lyke as his predecessouris, provestis of the said College, hes bene in use of donatioun of sic chaiplanriis foundit thairin in all tymes begane. Quhairupoun he menit him to umquhile Johnne Erll of Mar Lord Erskin Regent to oure Soverane Lord for the tyme, and Lordis of Secreit Counsale in the moneth of Marche, the yeir of God j^{m}v^{c}lxxi yeris, than resident at Leyth; and the said mater being for the tyme hard, considerit and understand specialie be Robert Commendatare of Dunfermling Secretare to our Soverane Lord, Sir Johnne Bellenden of Auchnowle knycht Justice Clerk, Johnne Erskin of Dun and Maister Robert Pont, it wes fundin that the rycht of donatioun of the said chaiplanerie pertenit to the said Maister Johnne Rutherfurde as Provest foirsaid. And anent the charge gevin to the said Maister John Winrame to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to answer to the complaynt abone mentionat, as the said supplicatioun, executioun and indorsatioun thairof at mair lenth proportis. Quhilkis being callit, and the said Maister Johnne Rutherfurde comperand personalie, and the said Maister Johnne Winrame not comperand;—the rychtis, ressonis and allegationis of the partie present being hard, sene and considerit be my Lord Regentis Gaace and Counsale, and thay ryplie avisit thairwith.—My Lord Regentis Grace, with avise of the

saidis Lordis, findis that the richt of donatioun of the said chaiplanerie pertenit to the said Maister Johnne Ruthirfurde Provest foirsaid for that tyme, jure devoluto, and thairfoir that the said James Fiddes student aucht to brouk the samyn, conforme to the donatioun maid to him be the said Maister Johnne, and dischargeis the said Mr. Johnne Winrame superintendent foirsaid and Robert Wilky his cousing of all calling, presenting and intrometting thairwith in tyme cuming.

James Aikmannis consent anent Capitane Aikmannis bairnis.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit James Aikman Burges of Edinburgh, apperand air to umquhile Capitane Walter Aikman; and beand inquirit gif he wald entir as air to him, declarit he wald not quhill he wer farder advysit; and nevirtheles wes content and consentit that my Lord Regentis Grace in oure Soverane Lordis name sould of new dispone the giftis gevin to the said umquhile Capitane Aikman to his bairnis gottin betuix him and Marioun Pott, and thay to be rehabilitat with this provisioun dispensand, that every ane of thame may succeid to ane uther failyeing of airis lauchfullie gottin of thair bodiis; and gif thay deceissit without airis lauchfullie gottin as said is, that the said James mycht succeid to thame.

Apud Edinburgh, xiiii Marcii, anno, etc. lxxii°.

Caution for Lard Tallo.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsall, comperit Johnne Hay of Tallo and acknawlegeit the Kingis Majestie for his onelie Soverane Lord, promissing to serve and obey his Hienes, his Regent and authoritie, as becumis a dewtifull subject; that he sall not resset, supple, nor intercommoun personalie nor be letters or messages with ony declarit tratouris or notorious rebellis aganis his Hienes and his authoritie, bot sall trewlie and unfenyeitlie set furthwart his Majesteis service and authoritie aganis all withstandaris of the same; the quhilk to do and faythfullie performe he band and obleist him self, and solempnitlie sweir in the presence of God upoun his honour and under the pane of repruif, dishonestie, perjurie and defamatioun; and Patrick Monypenny of Pilrig become cautioun and souirtie for the said Johnne Hay, that he sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, quhen and quhair he salbe requirit, on xv dayis warning, under the pane of ane thowsand merkis; and the said Johnne Hay obleist him to releif the said Patrik of the premissis, etc.

Apud Halyruidhous, xx Marcii, anno, etc. lxxii°.

Caution for Johnne Carmichaell.

The quhilk day, Johnne Carmichaell burges of Edinburgh as principall, and Nicholas Scott burges of the said burgh as sourtie for him, ar becum actit and obleist, conjunctlie and severalie, that the said Johnne sall trewlie and faythfullie use and exerce the office of Wardanrie of oure

Soverane Lordis cunyehous, and sall mak diligent and gude service thairin, as thay will answer upoun the uttirmest charge and perrell in that behalf. Sic subscribitur : Johnne Carmichaell. Nicholl Scott.

Apud Edinburgh, xxi Marcii, anno, etc. lxxii°.

[Step in a private process.][1]

Apud Halyruidhous, secundo Aprilis, anno etc. lxxiii°.

[Andro Erll of Rothes surety for David Seytoun of Parbroith tendering allegiance to the King and obedience to the Regent.]

Apud Halyruidhous, tertio Aprilis, anno, etc. lxxiii°.

Charge upoun the Egiptianis.

Forsamekill as it is understand to my Lord Regentis Grace and Lordis of Prevy Counsale, that the commoun weill of this realme is greittumlie dampnifeit and harmit, throw certane vagabound ydill and countirfute people of diverse nationis falslie namyt Egiptianis, levand in stowth and utheris unlauchfull meanys, quhilkis hes bene lang permittit to wander up and doun this realme unpuneist ; quhais owersicht and impunitie apperis to bring greittar inconvenientis gif haistie remeid beis not providit. Thairfoir ordanis letters to be direct to command and charge all and sindry the saidis ydill vagabound and countirfaittit people calland thame selffis Egiptianis, men wemen and bairnis, that thay and every ane of thame—owther depart furth of this realme and na wayis returne thairin of new ; or ellis settill thame selffis at certane dwelling places with maisteris gevand knawlege to the Magistrattis of the cuntre or burgh of the samyn, be quhat honest meane craft or industre thay have dedicat thame selffis to leif, betuix, and the first day of Maii nix to cum ; with certificatioun to thame that failyeis, thay salbe usit and demanit thaireftir as thevis. Quhilk first day of Maii being bipast, it salbe lauchfull to tak and apprehend the personis quhatsumevir fund doand in the contrair ; and to convoy thame and entir thame in the publict presonis of the nixt burgh, quhair my Lord Regentis Grace ordanis thame to be ressavit and kepit upoun thair awin expensis during the space of aucht dayis, and at the end of the same aucht dayis, except thay find cautioun to observe this present ordinance, to be scurgit throughout the toun or parrochyn ; and swa to be impresonit and scurgit fra parrochyn to parrochyn quhill thay be utterlie removit furth of this realme.

Apud Edinburgh, quinto die mensis Aprilis, anno, etc. lxxiii.

For careing of rysse.

Forsamekill as for making of gabionis, and uther necessar preparatioun to the placeing and setting to of the ordinance and artaillierie cravit at the

[1] Parties entered in Index of excluded names.

Quenis Majestie of England for recovery of the Castell of Edinburgh to oure Soverane Lordis obedience, thair is certane rysse cuttit within the Sherefdome of Edinburgh and constabularie of Hadingtoun, and presentlie in reddines for the transporting to the burgh of Edinburgh, quhairunto my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, hes thocht gude, concludit and ordanit, that the awnaris and possessouris of ilk pund land of auld extent within the said Sherefdome salbe chargeit to furneis twa hors; and thairfoir ordanis letters to be direct to the Sheref of Edinburgh and his deputtis, and to officiaris of armes Shereffis in that part, chargeing thame to pas command and charge, all and sindry the awnaris, tenentis, and possessouris of the landis contenit in the taxt roll maid and deliverit to the saidis officiaris, executouris of the saidis letters, to furneis prepair and send the nowmer and quantitie of horssis mentionat in the said roll, to the places and upoun the dayis alsua nominat thairin, for careing and transporting thairfra to the said burgh of Edinburgh of sic quantitie of rysse as is inlikewyis prescrivit to thame in the samyn roll, under the pane of xx ß. for ilk hors that salbe fund absent; and in caise thay do in the contrair, that the saidis officiaris poind and distrenye the reddiest gudis and geir being upoun the landis of the personis dissobeyand, to the avale and quantitie of the said sowme for ilk hors absent as said is; and thairwith conduce and hyre utheris in thair places, swa that alwayis thair lak not sufficient nowmer of horssis for transporting of the said rysse.

Apud Halyruidhous, nono Aprilis, anno, etc. lxxiii.

Sederunt—

Jacobus Dominus Regens.
Archibaldus Comes Ergadie.
Joannes Comes de Atholl.
Joannes Comes de Montroise.
Andreas Comes de Rothes.
Willelmus Dominus Ruthven.
Robertus Dominus Boyd.
Dominus Lorne.
Allanus Dominus Cathcart.
Episcopus Orchadensis.
Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.

A declaratioun to the Erll of Rothes.

Forsamekill as Andro Erll of Rothes Lord Leslie, movit on particular gude will quhilk he hes of langtyme borne to sum personis being in the Castell of Edinburgh, and willing in this tyme of thair present necessitie to bestow his travellis sa far as lefullie he could for thair sauftie and releif of thair dangerous estate; quhairfoir on his humble sute my Lord Regentis Grace grantit him licence to pas to the Castell of Edinburgh and confer with the personis being thairin; on quhais behalf at his returning he reportit that thay wer willing to cum to a gude end on mair tollerabill conditionis nor at ony tyme heirtofoir had bene offerit thame or yit that thay had yeildit

unto; and on that hoip cessatioun frome hostilitie wes grantit quhill thay mycht put in writt the summe of thair meaning, quhilk the said Erll of Rothes having ressavit frome thame presentit the same to my Lord Regentis Grace and the nobill men and utheris of the Kingis Counsall present, be quhome it hes bene diligentlie considerit of, and thairin sindry thingis of greit consequence ar found to be now moved and cravit be thame within the said Castell, further nor at ony tyme heirtofoir thay requirit, and sum poyntis alsua of importance offerit be thame selffis of befoir now altogidder omittit; and seing the haill nobill men quhilk thay in the Castell professit to follow and obey in the troublis past, and quhilkis thay said had power to direct thame, ar returnit to the obedience of the King on ressonabill conditionis for thair awin suirtie, it wes alwayis thocht that bettir and farder conditionis wald not be grantit to thame in the Castell; in quhilk mynd my Lord Regentis Grace and Lordis of Prevy Counsale foirsaidis continewis, seing sa greit evill caus gevin be thame in the Castell sen the tyme of the appointment of the nobill men; and thairfoir persaving thame in the Castell sa far besyde all ressoun and mesour in thair writtis, thinkis not the same worthy of ony speciall answer; willing the said Erll of Rothes to gif significatioun heirof unto thame, declarand that in his dealing and treating bipast with thame in the said Castell for this effect he hes behavit himself trewlie and honorabillie; and that thairfoir, nor for sending of this present answer, he sall incur na skayth nor dangeare, nor the same sall nevir be objectit to him for cryme or offence be ony maner of way in tyme cuming.

Caution for Lord Seytoun.

The quhilk day, George Ogilvy of Dunlugus, James Seytoun of Tulibody, James Johnnestoun of Elphinstoun, and George Dundas of that Ilk, become actit and obleist, conjunctlie, as cautionaris and souirteis for George Lord Seytoun, that he be himself and in name of his sonnis men, tenentis, and servandis propirlie depending upoun him [follows in the usual terms tender of allegiance and obedience].[1]

Apud Halyruidhous, decimo Aprilis, anno, etc. lxxiii°.

Caution for David Kirkcaldy.

The quhilk day, Andro Erll of Rothes become cautioun and souirtie for David Kirkcaldy sone to umquhile David Kirkcaldy, to entir and present the said David befoir my Lord Regentis Grace and Lordis of Secreit Counsale, as he salbe requirit upoun sex dayis warning; and als that in the menetyme the said David sall not have commoning nor intelligence, personalie nor be letters or messages, with ony of the declarit tratouris rebellis and conspiratouris presentlie being within the Castell of Edinburgh, under the pane of fyve hundrith pundis. Sic subscribitur, Rothes.

[1] Parties entered in Index of excluded names.

Apud Halyruidhous, xi Aprilis, anno, etc. lxxiii°.

Caution for Garden.

The quhilk day, Williame Dowglas of Lochlevin become souirtie and lawburgh for Alexander Forester of Garden, that Archibald Aitkin indwellar of Alloway salbe harmeles and skaythles of the said Alexander, and all that he may lett in tyme cuming be way of deid, under the pane of ane thowsand pundis; and the said Alexander obleist him to releif his said souirtie, etc. Sic subscribitur, Williame Dowglas of Lochlevin.

Caution for Lord Seytonis men.

The quhilk day, Thomas Inglis of Newlistoun become cautionar and souirtie that the houssis pertening to Williame Stratherne, Johnne Crystesoun, George Duchtie, Thomas Blak, and Nicholl Stevinstoun, indwellaris of Tranent, salbe randerit and deliverit agane to Dame Marie Peiris Lady Seytoun and Robert Seytoun hir sone; or the prices and avale as thay ar comprysit as thay salbe requirit upoun thre dayis warning, under the pane of payment to the saidis Dame Marie and Robert, of the same sowme that thay ar apprysit to as said is; and George Lord Seytoun obleist him to releif the said Thomas of the premissis. Sic subscribitur; Thomas Inglis with my hand. Seytoun.

Johne Barclay denunceit.

The quhilk day, anent oure Soverane Lordis letters direct, makand mentioun: Forsamekill as my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale moving thame, ordanit David Nicholl and Johnne Barclay witnessis, sworne and examinat of befoir in the actioun and caus persewit be Archibald Aitkin indwellar of Alloway aganis Alexander Forester of Garden, for the warrandice to the said Archibald of certane victuale, to be re-examinat; and anent the charge gevin to the saidis David and Johnne, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to depone forder in sa far as thay knaw or sould be sperit at thame in the said mater, under the pane of rebellioun and putting of thame to the horne; and gif thay failyeit, to denunce thame rebellis and put thame to the horne, and to escheit, etc., lyke as at mair lenth is contenit in the saidis letters, executioun, and indorsatioun thairof. The said David Nicholl comperand personalie and the said Johnne Barclay oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, to denunce the said Johnne Barclay oure Soverane Lordis rebell, and put him to the horne, and to escheit, etc.

Apud Halyruidhous, xiii Aprilis, anno, etc. lxxiii°.

Proclamatioun for thankfull ressaving of the Inglis army.

Forsamekill as it is not unknawin to all the gude subjectis of this realme quhat greit gude will and freindschip the Quenis Majestie of England—being Princesse in the warld nerrest to oure Soverane Lord bayth be blude and habitatioun—hes declarit not onelie towart his Hienes and the preservatioun of his innocent persoun evir sen his birth, bot als quhat cair, travellis and chargeis hir Hienes hes takin borne and sustenit, for the

sauftie and preservatioun of this realme in the auld ancient libertie, far abone the custum of ony hir predecessouris. For it is not to be forgottin, bot thankfullie to be rememberit, how, evin with the begynning of hir regnne, weare standing betuix thir twa realmis, first of all a godlie peace wes maid and concludit, quhilk to this tyme hes happelie continewit, to the pleasour of God and greit commoditie of this cuntre. As alsua how schortlie thaireftir this realme,—being in dangeare of the Fransche conquest and Christian religioun thairin liklie to have bene uttirlie suppressit,—be hir Majesteis forces and ayd send to the assege of Leyth, the strangearis wer expellit and the state of religioun and libertie of the cuntre preservit. In quhilk actioun nayther hir Majesteis tressure nor the bludis and lyffis of hir people wer spairit. The lyke cair weill apperit in hir Hienes quhen be hir forces direct in this realme, in the month of Maii the yeir of God $j^{m}v^{c}$ thre scoir ten yeris, the conspiratouris quhilkis pretendit oure Soverane Lordis depositioun from his royall croun, and to erect ane uther authoritie, wer profligat and disapointit, and the Castell of Glasgow than assegit be thame succourit and relevit, hir Majestie nevir taking or occupying ony strenth, hald or fute of ground in Scotland, bot that quhilk scho hes alwayes bene willing to rander to the awnaris upoun na uther conditioun sauffing thair returning to his obedience and suretie for continewance thairat. And sen that tyme it is weill knawin quhat travellis and cair his Majestie hes takin be hir ambassadouris letters and messages to have the haill realme quietit to his Hienes obedience, quhairin hir Majesteis laubouris and mediatioun hes at Goddis pleasour takin gude successe; the haill realme in effect being reduceit to the acknawlegeing of his Hienes authoritie; and in the place of the lang civile and intestine weare, gude peace restorit ower all the cuntre;—the Castell of Edinburgh onelie exceptit, quhilk, being put in the trust and custody of Sir Williame Kirkcaldy sumtyme of Grange knycht, to his Hienes use and behuif, be umquhile the Erll of Murray Regent for the tyme, of worthy memory; the said Williame unmyndfull of his trewth and promissit allegeance, hes be the space of twa yeris, with the mair, now bipast, be the meanys of the same Castell, rasit and continewit the said civile and intestine weare aganis the royall estate and authoritie of his Majestie, to the disturbance of Christian religioun, the lawis, polecie and haill commoun weill of the realme; and rejecting the godlie pacificatioun quhilkis the cheif nobill men and utheris returning to his Hienes obedience hes ressavit, proceidis in contemptuus rebellioun and weare greitlie annoying the burgh of Edinburgh, being the cheif sate of justice, and doing besydis quhat in him lyis to procure and draw strangearis in this realme for suppressing of religioun, his Hienes estate and troubling the quietnes of the haill yle. And seing the Kingis principall ordinance, pulder, bullettis and munitionis ar detenit within the said Castell, and usit and spent aganis his Hienes and his gude subjectis, the Quenis Majestie of Ingland hes bene ernistlie requirit be my Lord Regentis Grace and nobilitie of this realme for ayd and succours of men, ordinance and munitioun, to the expugnatioun, assege and re-

covery of the said Castell, quhilk hir Hienes hes favourablie and liberallie grantit, eftir all gude meanys usit to have brocht the personis being within the said Castell to oure Soverane Lordis obedience be treaty,—bot the samyn contempnit be thame and rejectit hes now preparit and causit put hir forces in full reddines to entir in this realme, to be fully employed for the mantenance and furthsetting of the authoritie of oure said Soverane Lord, in assegeing of the said Castell; that the same being recoverit, may immediatlie and indilaitlie be deliverit with the ordinance, munitioun, royall plate, jowellis, wardrop, and houshald stuff, and with the registeris and recordis belanging to the King and Croun of Scotland, to His Hienes and his said Regent in his name, and to his behuif; and swa thairby peace restorit to the said burgh of Edinburgh and haill realme in the Kingis obedience, without ony uther pretense meaning or intentioun in hir Majestie, or in Sir Williame Drury hir Majesteis Generall of hir saidis forces. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to mak publicatioun heirof at the marcat croce of the burgh of Edinburgh and all utheris places neidfull, that nane pretend ignorance of the same, or sinisterlie deprave and misreport of hir Majesteis freindlie and favourabill intentioun; and to command and charge all and sindry oure Soverane Lordis liegis, that thay and every ane of thame thankfullie ressave the Generall of hir Majesteis forces and haill personis being under his charge; and to schaw and gif to thame all favour and gude entreatment in ludgeing, meit, drink and utheris thair necessaris upoun thair ressonabill charges, unrasand the present pryces in ony thing; and that nane tak upoun hand to do to thame or ony of thame harme, greif, injurie, or uncourtesie, in bodiis or gudis, be word, deid, or countenance, under the pane of deid; certifeing thame that failyeis, thay salbe repute and estemit as seditious and wickit instrumentis, hinderaris of the service and obedience of oure Soverane Lord, favouraris and partakaris with the declarit tratouris and rebellis being within the said Castell; and the said pane of deid salbe execute upoun thame with all rigour in exempill of utheris.

Apud Haliruidhous, xiiii Aprilis, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.
Archibaldus Comes Ergadie.
Joannes Comes de Montroise.
Andreas Comes de Rothes.
Robertus Comes de Buchane.
Georgius Dominus Seytoun.
Dominus Lorne.
Robertus Dominus Boyd.
Allanus Dominus Cathcart.
Commendatarius Dunfermling.
Commendatarius de Newbottill.
Clericus Registri.
Clericus Justiciarie.

[Alexander Leslie of Wardes and Williame Leslie his son and heir failing to appear before the Council, letters to denounce and put to the horne issued in the usual way.]

Apud Edinburgh, xv Aprilis, anno, etc. lxxiii°.

The quhilk day, Johnne Blair of that Ilk and Johnne Hammiltoun of Drumry become actit and obleist, conjunctlie and severalie, for Grissell Sympill Lady Stanehous, that hir hous and fortalice of Blair salbe randerit and deliverit to oure Soverane Lord, his Regent and authoritie, quhen evir the samyn salbe requirit, upoun xlviii houris warning; and that in the menetyme the samyn hous salbe patent for the refuge and succour of the Kingis Majesteis subjectis professing his authoritie in caise thay be persewit, or in dangeare; that nane of his Hienes declarit tratouris or notorious rebellis salbe ressett thairin nor utherwayis; that the said Grissell sall not assist, supple nor intercommoun with thame personalie be letters or messages in tyme cuming; under the pane of twa thowsand pundis; and the said Grissell and Johnne Hammiltoun obleist thame to releif the said Johnne Blair of the premissis, etc. Sic subscribitur. John Blair of that Ilk. Johnne Hammiltoun of Drumry. Grissell Sympill with my hand.

Contract betuix the Lord Ruthven and the Generall of the Inglis forces.

At Lamertoun Kirk, the xvii day of Apryle, the yeir of God j^{m}v^{c}lxxiii yeris, it is appointit, aggreit and finalie contractit betuix the richt honorabill Sir Williame Drury knycht, Generall of the Quenis Majestie of Englandis forces directit in Scotland in hir Hienes name, on the ane part; and Williame Lord Ruthven Thesaurare of Scotland, in name and behalf of the Kingis Hienes thairof, on the uther part, in maner as eftir followis: that is to say, forsamekill as hir Majestie,—being Princesse in the warld nerrest to his Hienes bayth be blude and habitatioun, and thairupoun not onelie be nature the mair cairfull of the saufgaird and preservatioun of his innocent persoun, bot alsua of Christiane lufe and gude nychbourheid,—desyrous to procure the welth and quietnes of his realme and people, hes, be hir ministeris letters, and all uther gude meanys, ernistlie travellit for pacificatioun of the lang inward troubles and civile dissentioun within Scotland; and be Goddis favour and providence, hir Majesteis laubouris and mediatioun in that behalf hes takin gude successe, the haill nobilitie and people in effect being reconciliat to the Kingis obedience—the Castell of Edinburgh onelie exceptit, quhilk being put in the trust and custody of Williame Kirkcaldy sumtyme of Grange knycht, to the use and behuif of the King, be umquhile the Erll of Murray Regent for the tyme, of worthy memory,—the said Williame, unmyndfull of his promissit trewth and allegeance, hes be the space of twa yeris now past, be the meanis of the same Castell, rasit and continewit ane ungodlie civile weare in the realme aganis the royall estate and authoritie of the King, to the disturbance of the Christian religioun, the lawis, polecy and haill commoun weill of the realme; and rejecting the godlie pacificatioun quhilk the cheif nobill men and utheris returning to the Kingis obedience hes ressavit, proceidis in contemptuus rebellioun, greitlie annoying the burgh of Edinburgh—being the cheif seate of justice, and doing besydis quhat lyis in him to procure

and draw in strangearis in Scotland, for suppressing of religioun, the Kingis estate, and troubling of the quietnes of bayth the realmis; and hir Majestie being ernistlie requirit be the Regent and nobilitie of Scotland for ayde and succouris of men, ordinance, and munitioun, for the expugnatioun, assege, and recovery, of the said Castell of Edinburgh, it hes plesit hir Hienes to send and direct into Scotland, under the conduct of the said Generall, a sufficient ayde of men of weare to joyne with the power of the King, with artaillierie, munitioun and all utheris instrumentis of weare meit for that purpois, alsweill be sey as be land, and to continew with the King, his Regent and nobilitie, quhill the recovery and wynning of the said Castell; or quhill the said Generall and forces be returnit and revoked in England be hir Majesteis commandiment; and hir Hienes, nor hir said Generall in hir name, sall nevir compone, transact nor aggre with the said Williame Kirkcaldy, nor na utheris personis being within the said Castell, without the consent and advise of the Regent and Prevy Counsale of Scotland, nor yit sall the Regent and the Counsale entir in ony compositioun, transactioun, or aggrement, with the said Williame, nor na uther personis being in the said Castell, during the continewatioun of hir Hienes forces at the assege thairof, without consent and advise of hir Majestie or the said Generall in hir Hienes name. And in caise the said Castell sall not utherwayis be recoverit than be force, and be that meane sall cum in the power of the Generall and Inglis forces, it is accordit that the same Castell, with the ordinance, munitionis, royall plate, jowellis, wardrop and houshald stuf, with the registers and recordis belangand to the King and croun of Scotland, salbe randerit and deliverit to the King and Regent in his name within the space of thre dayis eftir the recovery thairof. Nayther sall the power of England fortifie within the ground of Scotland, bot be the advise of the Regent, Counsale and nobilitie. For the quhilkis causis, and in respect of hir Majesteis maist gentill clemence and liberall support, the Regent and nobilitie sall to the uttirmest of thair poweris ayde and support hir Majesteis forces, aganis all being within the said Castell and thair partakaris, with horsemen, futemen and with victuallis, be sey and land, and with all uther maner of ayde to the best of thair poweris; and sa sall continew during the tyme that hir Majesteis forces and ordinance remane in Scotland. Item, the Generall salbe sufferit and fully allowit to use his authoritie in Scotland ower the Inglis subjectis for the governament of thame, as thoch thay wer in Berwik, without ony uther jurisdictioun to be usit towart the Englishe. Item, sic as sall gif the assault to the Castell sal haif the spoyle thairof of all that is within it, according to the maner of weare to be dividit amangis thame, and the personaris also;—except the said ordinance and munitionis, royall plate, jowellis, wardrop and houshald stuff, with the said registeris and recordis, belanging to the King and croun of Scotland—quhilkis sa far as is possibill salbe reservit and deliverit to the Regent to the Kingis use. And that Alexander Lord Hume, the said Williame Kirkcaldy, Williame Maitland sumtyme of Lethingtoun youngar, Johnne Maitland sumtyme Pryour of Coldinghame his

broder, Robert Bischop of Dunkeld, Robert Logane of Restalrig, Robert Melville sumtyme of Murdocairny, Alexander Creichtoun youngar sumtyme of Drylaw, Henry Echling sumtyme of Petadro, sa far as may be salbe reservit to be justifiit be the lawis of Scotland, quhairin hir Majesteis advise salbe usit. Item, gif ony Inglisman salbe slane in this service, that for recompance thairof thair be allowit to the wyff and childrene of the same persoun alsmekill in valour to be takin of the landis and gudis of sum of thame in the Castell not alreddy disponit, as sall amont to be twa full yeris wages of sic wages as the persoun slane had appointit in his jornay. And gif ony be hurt in the service, that also he be recompensit in lyke sort of his wages until he be fully curit. And for the suretie of thair recompans and satisfactioun the landis and gudis of the foirnemmit personis, or utheris being in the said Castell not as yit disponit upoun, salbe assignit and committit to the collectioun and levyng of sum ane—nobill man or uther—at quhais handis the wyffis and childrene of the personis slane or hurt may ressave the recompence heir appointit. Item, gif ony of hir Majesteis ordinance salbe brokin be service, that recompence salbe maid of the lyke pecis gif ony be in the Castell; and in lykemaner recompence maid for pulder and schott of the lyke gif ony be fund in the Castell; or ellis of the valu to be maid of thingis thair fund and reservit for the King; or of the gudis of thame that salbe fund to rebell in the said Castell. And in consideratioun that hir Majesteis ayd and succours of men, ordinance and munitioun, ar to repair in the inwart partis of the realme of Scotland, for expugnatioun assege and recovery of the said Castell, the Regent and nobilitie sall entir into the realme of England certane hostages to the nowmer of ten, to remane in England during the tyme that the saidis forces and ordinance sall remane in Scotland, and for sauf returning of the same, except sic change and fortoun of weare as salbe commoun and alike to bayth. Thairfoir in the Quenis Majesteis name, and upoun the honour of the said Generall, it is faythfullie promeist that quhat tyme and howsone hir Hienes forces and ordinance presentlie entering in Scotland sall returne agane within the realme of Ingland sauflie—except the said commoun chance and fortoun of weare, quhairunto alsweill the subjectis of Scotland professing the Kingis obedience, as the Englishe people in possibilitie may be subject unto—than sall the saidis ten hostages now to be enterit be randerit agane and frelie deliverit in Scotland; and in the menetyme sall honestlie be intertenit within Ingland in Northumberland, the bischoprik of Durehame, or Yorkschyre at thair ressonabill expenssis. Furthermair, in respect that the persute and expugnatioun of the said Castell is to the behuif of the King and for the libertie and quietnes of the realme, and thairthrow the rather must proceid be the gude will and concurrence of the Regent, nobilitie, and gude subjectis professing the Kingis obedience and continewance of the amytie betwene bayth the realmis; thairfoir the Generall sall use the advise of the Regent and nobilitie that presentlie enteris the saidis hostages, alsweill in expugnatioun as compositioun, gif ony happin be; and eftir the exploiet done, all favourabill meanys salbe

usit to expeid bayth the Inglis ordinance and the soldiouris hame agane; and for performance of the present contract, the same and all claussis thairin contenit salbe confirmit be letters under the Greit Seill of Scotland and England, to be interchangeablie deliverit within the space of fourty dayis eftir the dait heirof. In witnes heirof the saidis partiis hes subscrivit this present contract with thair handis, day, yeir and place foirsaidis.

Charge on Glencarne and Sympill to leif Convocatioun.

Forsamekill as eftir the lang civile troubles and unnaturall weare continewit within this realme thair is a gude pacificatioun accordit upoun, to the universall benefite of the haill subjectis,—the Castell of Edinburgh except, be meanys quhairof the weare as yit continewis, to the greit annoyance of the burgh of Edinburgh, quhair the seate of justice remanys; quhairupoun the Quenis Majestie of Englandis ayde of men and ordinance being cravit, the same is grantit for expugnatioun and recovery of the said Castell; and the presens of the nobilitie of this realme is not onelie requisite for accumpaneing of the saidis forces, bot alsua at the Parliament now approacheing, quhairin the confirmatioun of the said pacificatioun is to be past and utheris wechtie materis to be intreatit for the commoun weill of the realme; and in that respect all occasionis tending to the contrary aucht to be avoidit. Nevirtheles, as my Lord Regentis Grace and Lordis of Secreit Counsall ar informit, Alexander Erll of Glencarne on that ane part, and Robert Lord Sympill on the uther part, hes maid convocatioun of our Soverane Lordis liegis in weirlyke maner, not onelie of thair awin freindis, servandis and partakaris, bot als hes rasit wageit men of weare, intending be oppin hostilitie to invade and persew utheris, thair freindis and rowmes, for revenge of thair prevat querrellis, and swa to brek and troubill our Soverane Lordis peace, and hinder his service in this necessar tyme; howbeit be the lawis and Actis of Parliament, not onelie is all convocatioun prohibit and forbiddin, bot als it is expreslie statute and ordanit, that na maner of persoun or personis, of quhatsumevir qualitie estate conditioun or degre thay be of, attempt to do or raise ony bandis of men of weare on hors or fute with culveringis, pistolettis, pikkis, speris, jakkis, splentis, steilbonettis, quhyte harnes or uther munitioun bellicall quhatsumevir, for dalie, owlklie or monethlie wageis in ony tyme to cum, without speciall licence in writt had and obtenit of our Soverane Lord thairto, nor yit mak ony weare aganis the Kingis liegis, under the pane of deid, to be execute upoun the rasaris of the said bandis—as alsua upoun thame that convenis and rysis in bandis. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to command and charge the saidis Alexander Erll of Glencarne and Robert Lord Sympill, and all and sindry personis convocat with thame in thair cumpaneis or be thair commandimentis, that thay and every ane of thame depart to thair dwelling places, leif all convocatioun making, taking or bearing of armes, or invasioun and persute of utheris be way of deid, under the panis contenit in the Actis of Parliament, bot remit the tryell of thair querrellis

and contraversiis to be tryit and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, or be the lawis of this realme; and for that effect, that the saidis Erll of Glencarne and Lord Sympill repair to the Parliament now approcheing, as thay and every ane of thame will answer upoun thair obedience and allegeance at thair uttirmest charge and perrell; certifeing thame that dois in the contrair, thay sall not onelie be callit for contravenaris of the saidis Actis and puneist according thairto, bot als althoch the tyme and service present may evill permit it, spedy and extraordinar provisioun salbe maid for repressing of the violent attemptattis of the dissobeyar be force and his Hienes authoritie.

Caution for Lady Levingstoun.

The quhilk day Alexander Bruce of Airth become cautioun and souirtie for Dame Agnes Flemyng Lady Levingstoun, that schö sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale quhen schö or he salbe requirit thairto, on sex dayis warning; and als that the said Lady sall behave hir self in tyme cuming as ane obedient subject to our Soverane Lord and his authoritie; and that nowther be word, deid, writtingis, or messages schö sall practize or have intelligence with oure Soverane Lordis innemeis, or rebellious subjectis, and specialie with the declarit tratouris and utheris now being within the Castell of Edinburgh,—under the pane of fyve thowsand pundis. Sic subscribitur, Alexander Bruce of Airth.

Apud Halyruidhous, xviii Aprilis, anno, etc. lxxiii^{o}.

Sederunt—

Jacobus Dominus Regens.	Robertus Dominus Boyd.
Archibaldus Comes Ergadie Cancellarius.	Allanus Dominus Cathcart.
Joannes Comes de Montroise.	Robertus Commendatarius de Dunfermling.
Gilbertus Comes de Cassillis.	Clericus Registri.
Andreas Comes de Rothes.	Clericus Justiciarie.

Thomas Huntar.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsall be Thomas Huntar burges of the Cannogait, makand mentioun—That quhair the said burgh, as is notourlie knawin, is erectit and infeft be oure Soverane Lordis maist nobill progenitouris in fre Burgh, with privilege and fredome to have fre Burgessis, and to sell and by all maner of gudis; and hes grantit and declarit that the burgessis thairof sall haif als greit libertie and fredome as ony oure Soverane Lordis awin burrowis within this realme; according to the quhilk the fre Burgessis of the said Burgh of the Cannogait hes bene in possessioun of the privilegis of fre Burgh in all tymes bigane lang attour the memory of man; lyke as the said Thomas Huntar being ane fre Burges thairof be him self, his servandis and utheris in his name, haif saillit and trafficquit with marchandice, and

sauld and bocht gudis in all fre burghis of this realme, as utheris fre men thairof hes done, thir sextene yeris bigane. And according to his accustumat tred and trafficque of marchandice hes causit pak thre cordis of skynnis, and payit the dew custumes thairof, as the Custumaris ticket thairupoun beris; quhilk he intendit to have schippit in ane schip of Leyth quhairof George Patie is skippar, instantlie bowne upoun hir voyage. Nochtheles Adam Fullartoun upoun the xxvi day of Marche last bipast, for quhat caus the said Thomas knawis not, wranguslie stoppit the schipping of his saidis skynnis and dischargeit the skippar to ressave the samyn. And sensyne the said Adam hes causit intromet thairwith, and kepis and withhaldis the same, and on na wayis will mak restitutioun thairof to the said Thomas, takand sufficient cautioun and souritie that he sall do thairfoir to the said Adam all that the aucht and sould of law. Quhairupoun the said Thomas menit him to the Lordis of Sessioun, and obtenit ane charge commanding the said Adam to restoir and deliver agane to the said Thomas his saidis skynnis, takand cautioun as said is; or ellis to have comperit befoir thair Lordships upoun the morne nixt eftir the charge and schawin ane ressonabill caus in the contrair. Quhilk charge being dewlie execute upoun the said Adam he dissobeyit, refusand planelie to deliver the saidis gudis and to ressave cautioun, conforme thairto; and the said Thomas Huntar hes awaytit befoir the saidis Lordis of Sessioun thir twenty dayis bipast and can get na ressoning nor calling of his supplicatioun, be ressoun the saidis Lordis hes bene continewalie sensyne not of full nowmer and utheris tymes occupiit in greit and wechtie materis; and in the menetyme the said schip is reddy to pas hir way, quhairthrow the said Thomas will tyne his marcat of his saidis skynnis, to his greit skayth, without my Lord Regentis Grace and Lordis of Secreit Counsale provyde sum summar remeid. And anent the charge gevin to the said Adam Fullartoun, to rander and deliver agane to the said Thomas the skynnis abone mentionat within xii houris nixt eftir the charge, or ellis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun the morne nixteftir the said charge, and schaw ane ressonabill caus quhy he sould not do the samyn; with certificatioun to him and he failyeit, ordour sould be takin heiranent as appertenit, lyke as at mair lenth is contenit in the said supplicatioun, execution, and indorsatioun thairof. Quhilkis being callit and bayth the partiis comperand personalie, my Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Adam Fullartoun to rander and deliver agane to the said Thomas Huntar the saidis thre cordis of skynnis in als gude state as thay wer takin, without prejudice alwayis to the actioun dependand befoir the saidis Lordis of Sessioun betuix the inhabitantis of the burgh of Edinburgh and of the Cannogait concerning the privilegis of ayther of the burghis; becaus Johnne Hart indwellar of the Cannogait become caution and souirtie that the saidis skynnis salbe furthcumand to all partiis havand interes thairto as law will, under the pane of four hundrith pundis money of this realme; and that letters be direct heirupoun in dew forme as efferis.

Adam Fullartoun.

Apud Haliruidhous, xxiiii Aprilis, anno, etc. lxxiii°.

Proclamatioun that nane invade utheris.

Forsamekill as according to the pacificatioun accordit upoun at Perth upoun the xxiiii day of Februare last bipast, oure Soverane Lordis Parliament wes appointit to be haldin and begin at this burgh of Edinburgh the xxiiii day of Apryle, with continewatioun of dayis; and according thairunto diverse of the nobilitie and states ar reparit to this burgh to do and performe that quhilk to every ane of thame appertenis; and ressonabill it is that in this publict conventioun materis proceid quietlie and ordourlie to Goddis pleasour, the Kingis obedience and commoun weill of this realme. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis ane Herauld, Maser, or uther officiar of armes, to pas to the Marcat Croce of Edinburgh and utheris places neidfull, and thair be oppin proclamatioun in oure Soverane Lordis name and authoritie, command and charge all and sindry his Majesteis liegis, that nane of thame tak upoun hand to invaid molest or persew utheris, or gif provocatioun of displeasour be word, deid, or countenance, owther for auld feid or new; or ony uther maner of occasioun in thair cuming, remaning or departing, and quhill thay be returnit to thair dwelling places, under the pane of tressoun; certifeing thame that failyeis heirin, thay sal be estemit and puneist as seditious and wickit personis, troublaris of the publict quietnes and peace of the realme, with all extremitie in exempill of utheris.

Apud Haliruidhous, xxv Aprilis, anno, etc. lxxiii°.

Charge for taking of Capitane Halkerstoun.

Forsamekill as eftir the pacificatioun of the lait troubles within this realme wes accordit upoun and speciall provisioun maid that the nobill men returning to our Soverane Lordis obedience sould brek and discharge thair men of weare, quhilk in effect thay have performit. Nevirtheles as is weill knawin, James Halkerstoun callit Capitane Halkerstoun, Mathow Sinclair, and thair complices, notorious pirattis and disadvowit be ony that will answer for thair doingis,—not onelie in tyme of abstinence, reft and tuke ane schip furth of the havin of Brint Iland, and immediatlie thaireftir hereit and spuilyeit the greittast part of our Soverane Lordis Islis and landis of Zeitland, intromettand with his Hienes propir rentis thairof, quhilk thay brocht within the havin of Abirdene and maid sale and dispositioun thairof; bot als the saidis personis pirattis with thair complices, brokin men of weare and utheris, hes laitlie takin ane schip about Petirheid pertening to Duchemen, freindis and confiderattis of this realme, and hes brocht the said schip within the port or raid of the burgh of Abirdene, intending thair to prepair and rig hir furth in piracy for annoying alsweill of our Soverane Lordis awin subjectis as of his freindis and confiderattis; and thairby to draw weare upoun this cuntre gif thair attemptattis be not spedelie preventit. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters be direct, chargeing the Provest,

Baillies, Counsall and commonitie of the burgh of Abirdene in generall, or be thair names in speciall as thay salbe requirit, that thay with all possibill diligence eftir thay be chargeit thairto, pas, serche, and seik, the said James Halkerstoun, Mathow Sinclair and all utheris thair complices, quhairevir thay can be apprehendit, within the boundis of the fredome and jurisdictioun of the said burgh, and to bring and present thame befoir the Justice or his Deputtis within the tolbuith of Edinburgh within the space of sex dayis eftir thair apprehensioun, to the effect that justice may be execute upoun thame for thair demerittis, conforme to the lawis of this realme; or ellis that the saidis Provest, Baillies, Counsall and commonitie foirsaid keip and detene the saidis pirattis and thair complices in sure ward and firmance quhill cognitioun may be send to execute justice upoun thame at the said burgh; chargeing alsua the saidis Provest and Baillies, to fense and arreist the schip or schippis, or utheris veschellis brocht in be the saidis pirattis or thair complices, in the havin of the said burgh, tak the saillis fra thair raise, and na wayis suffer thame to depart or be disponit upoun, ay and quhill the personis be tryit be oure lawis in maner abone-writtin,—as the saidis Provest, Baillies, Counsall, and Commonitie, will answer to oure Soverane Lord, his Regent and authoritie, upoun thair obedience at thair uttirmest charge and perrell, and under the pane of rebellioun and putting of thame to the horne; certifeing thame and thay failye, thay sall incontinent thaireftir be denunceit rebellis and put to the horne, and all thair movabill gudis eschetit and inbrocht to his Hienes use for thair contemptioun; and forder thay salbe repute, haldin, estemit and persewit as favouraris and partakaris with the saidis pirattis in thair piraciis and utheris wickit deidis, and salbe answerable thairfoir to all personis dampnifiit as of the law and equitie appertenis.

Apud Haliruidhous, xxvii Aprilis, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.
Archibaldus Comes Ergadie Cancellarius.
Joannes Comes de Montroise.
Gilbertus Comes de Cassillis.
Andreas Comes de Rothes.
Robertus Dominus Boyd.
Walterus Abbas de Kinloss.

Bishop of Dunkeldis ayth.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, James Bischop of Dunkeld being laitlie promovit to the said bischoprik maid this forme of ayth following: I James now electit Bischop of Dunkeld, utterlie testifiis and declaris in my conscience, that the Kingis Majestie is the onelie lauchfull and supreme governour of this realme alsweill in thingis temporall as in the conservatioun and purgatioun of the religioun; and that na foreyn Prince, persoun, prelate, state or potentate hes or aucht to have ony jurisdictioun, power, superioritie, preeminence or authoritie ecclesiasticall or sprituall within this realme; and thairfoir I uttirlie renunce and forsaik all forayne jurisdictionis, poweris,

superiorite is and authoriteis; and promissis that frome this furth I sall and will beare fayth and trew allegeance to his Majestie, his airis and lauchfull successouris; and to my power sall assist and defend all jurisdictionis, privilegis, pre-eminencis and authoriteis grantit and belangand to his Hienes, his airis and lauchfull successouris, or united and annext to his royall croun; and forder I acknawlege and confes to have and hald the said Bischoprik and possessionis of the same under God onelie of his Majestie and royall croun of this his realme; and for the saidis possessionis I do my homage presentlie to his Majestie and your Grace in his Hienes name, and to his Hienes, his airis and lauchfull successouris salbe faythfull and trew. Sa help me God.

Apud Haliruidhous, ultimo Aprilis, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.
Joannes Comes de Montroise.
Andreas Comes de Rothes.
Robertus Comes de Buchane.
Joannes Dominus Glammis.
Willelmus Dominus Ruthven.
Patricius Dominus Lindesay.
Robertus Dominus Boyd.
Dunfermling.
Newbottill.
Clericus Registri.

Personis adjonit for tryell of attemptattis aganis the abstinence.

Forsamekill as be vertew of the pacificatioun maid and concludit at the burgh of Perth upoun the xxiii day of Februare last bipast, betuix certane our Soverane Lordis Commissionaris specialie constitute on the ane part;—and Johne Erll of Huntlie Lord Gordoun and Badyenoch for himself, his kin, freindis, servandis, and partakaris, now propirlie depending on him; and Lord George Hammiltoun Commendatare of Abirbrothok for himself, and takand the burding upoun him for Lord Claude Hammiltoun his broder, and all utheris the kin, freindis, servandis, and partakaris, now propirlie depending on the Dukis Grace of Chestellarault, thair fader, and hous of Hammiltoun, on the uther part. It is convenit, concordit, and concludit, that all thingis promissit be abstinence salbe performit, and all thingis to the contrary thairof fully restorit, redrest, and repairit, according to the sympill avale, at the sicht and discretioun of Johnne Erll of Montroise Lord Grahame, Johnne Lord Glammis, and Sir Johnne Wischert of Pittarro knycht, conjunctlie, for all attemptattis committit aganis the said abstinence be north the watter of Tay, and thay to sit in the burgh of Perth; and Robert Lord Boyd, Mark Commendatare of Newbottill, and Sir Johnne Bellenden of Auchnowle knycht Justice Clerk, conjunctlie, for all attemptatis committit aganis the said abstinence be sowth the watter of Tay, and thay to sit in the burgh of Edinburgh without ony limitatioun of tyme, in respect of the non-publicatioun of the said abstinence at certane places,—saulffing at the discretioun of the jugeis as thay sall try ex equo et bono; and thay sall decerne within ane yeir eftir the intentioun and persute of the actioun, and compulsatouris salbe direct at the instance of ayther of the partiis be the Lordis of Sessioun or utherwayis for compeling

of the saidis jugeis to decerne within the said space; and gif the partiis skaithit intentis and persewis not within the yeir and day eftir the publicatioun of this pacificatioun, that than thay tyne thair actionis for ony thing attemptit aganis thame sen the according to the said abstinence; and na wyis to be hard to persew thairfoir befoir utheris jugeis in ony tyme thaireftir; and in caise the saidis jugeis or ony of thame inlaik or accept not, that utheris be agrement may be put in thair places; and that alwayis na utheris jugeis have power to cognosce or decyde in the saidis materis, as in the article of pacificatioun maid to this effect mair largelie is contenit. And now my Lord Regentis Grace, understanding that thair is trew intentioun for the performance of all thingis promissit be the said abstinence, and that all thingis done or attemptit contrair the same salbe restorit, redressit, and repairit, in the maist convenient, summar, and commodious maner that may be. Thairfoir my Lord Regentis Grace, with avise of the said Erll of Huntlie, personalie present and consenting heirto, alteris and changeis the place appointit for tryell of the saidis attemptattis committit aganis the said abstinence be north the said watter of Tay, fra the said burgh of Perth to the said burgh of Edinburgh, as place thocht maist meit and propir thairfoir, in respect that the saidis jugeis will maist commounlie be fund togidder at Edinburgh, and als in consideratioun that thair the advise and service of advocattis, scrybis and utheris requisite to the consultatioun, persute and defense of caussis, will maist commodiouslie and with leist expenssis be had; decernand and admittand the said burgh of Edinburgh als lauchfull place in all respectis for tryell of the saidis attemptattis aganis the abstinence committit be north the said watter of Tay, as gif the same wer done within the said burgh of Perth. And als with avise and consent foirsaid adjoinis the saidis Robert Lord Boyd and Robert Commendatare of Dunfermling, to the saidis Erll of Montroise, Lord Glammis and Laird of Pittarro, as jugeis for tryell of the saidis attemptattis aganis the abstinence be north the said watter of Tay, declarand that the decisioun, decreit, and sentence, of the saidis fyve personis or ony thre of thame conjunctlie, salbe als valiabill and sufficient in all respectis as gif the same wer discussit, gevin and pronunceit be the saidis Erll of Montrois, Lord Glammis, and Laird of Pittarro. Quhilkis fyve personis being all personalie present, acceptit upon thame the jugement and decisioun of the saidis attemptattis, and maid fayth in presens of the said Lord Regent and Lordis of Secreit Counsale, for administratioun of justice thairintill as accordis.

A suspensioun of jugement anent sum Articles of the Pacificatioun.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsale, understanding that be the Pacificatioun accordit upoun at the burgh of Perth, upoun the xxiii day of Februare last bipast, betuix oure Soverane Lordis commissionaris specifiit thairin, on the ane part; and George Erll of Huntlie Lord Gordoun and Badyenoch for himself, his kin, freindis, servandis and partakaris now propirlie depending on him,—and Lord Johnne Hammiltoun Commendatare of the Abbay of Abirbrothok for

himself, and takand the burding on him for Lord Claude Hammiltoun Commendatare of Paslay his brother, and all utheris the kin, freindis, servandis and partakaris now propirlie depending on the Duke of Chestellarault thair fader and hous of Hammiltoun, on the uther part;—It is providit, as twicheing the murtheris of umquhile the Erll of Murray uncle, and the Erll of Levenax guidsire, lait Regentis to his Hienes, his realme and liegis,—being thocht materis of sic wecht and importance as the said Regent could not convenientlie of him self remit,—yit in respect of the necessitie of the Pacificatioun, it wes accordit that the mater of remissioun of the saidis murtheris being movit be the personis craveand the said remissioun, to the Quenis Majestie of England, being Princesse in the warld nearest to oure Soverane Lord bayth be blude and habitatioun, quhatsoever schö sould advise and counsale twicheing the remissioun of the saidis murtheraris, the said Lord Regent, with consent of Parliament, for the weill and universall quietnes of the haill realme, sould performe fulfill and observe the samyn. And likewyis twicheing the frutis or movabill gudis, owther pertening to our said Soverane Lord or his subjectis, quhilkis his subjectis now returning to his Hienes obedience hes tane fra personis professing his obedience, or dampnages or skaythis done or committit be thame—sen the xv day of Junii, the yeir of God $j^{m}v^{c}$ thre scoir sevin yeris, preceding the according to the abstinence upoun the penult day of Julii last bipast,—throw the said commoun caus, or ony thing depending thairupoun aganis the partie with quhome thay than stude in contraversy and debate; becaus the mater wes also thocht of sic wecht and importance, it wes accordit be the same Pacificatioun that the mater being movit to the Quenis Majestie of England, quhatsoevir schö sould advise and counsall thairanent, the said Lord Regent sould performe fulfill and observe the same, as in the Articles of the said Pacificatioun maid thairupoun at mair lenth is contenit. And in respect that the full advyse of hir Majestie is not yit returnit to the said Lord Regent, the late Parliament could not convenientlie at the tyme gif thair declaratioun upoun the twa poyntis abonespecifiit; and swa hes ordanit the said Parliament to ryn and be continewit quhill the last day of August nixtocum, hoping in the menetyme to ressave hir Hienes resolute answer heiranent; during quhilk space it is alsua ressonabill, that all actionis—criminall civile or uther actioun quhatsumevir, for the materis in the saidis twa articles stay, rest and ceise quhill declaratour thairupoun be gevin in Parliament. Thairfoir my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis letters to be direct, commanding and chargeing all and sindry jugeis and ministeris of lawis within this realme, to desist and ceise fra all proceding, in ony actionis or caussis mentionat in the twa articles abonewrittin, aganis the personis quhatsumevir propirlie comprehendit under the said Pacificatioun, or to quhome the favour and benefite thairof is grantit and extendit, ay and quhill declaratour be gevin thairupoun in Parliament, dischargeing the saidis jugeis all utherwayis, and of thair offices in that part in the menetyme.

Apud Haliruidhous, quarto Maii, anno, etc. lxxiii°.

Sederunt—Domini ut in die predicto.

Protestatio for Dame Jehane Hammiltoun.

The quhilk day, comperit Dame Jane Hammiltoun, be David Dundas hir servand and procuratour, befoir my Lord Regentis Grace and Lordis of Secreit Counsall, and gaif in ane copy of oure Soverane Lordis letter impetrat at the instance of Hew Erll of Eglintoun, berand; in effect;—that the saidis Dame Jane,—allegeand that in satisfactioun of certane greit sowmes of money ressavit be the said Erll fra hir, he dewlie infeft hir and hir airis in the landis of Eistwod and diverse utheris landis and heretages, with all privilegis and commoditeis pertening thairto, and that schö be vertew thairof hes bene in possessioun of the same; and nochttheles the said Erll not onelie providit and intromettit with hir tenentis gudis for unlawis for nonaccumpaneing him to ane raid, bot alsua hes causit thame compeir in his courtis, he havand na jurisdictioun nor power thairto,—purchest letters chargeing the said Erll to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale, to have answerit to hir complaynt, under the pane of rebellioun and putting of him to the horne; and for allegeit noncomperance hes causit denunce him rebell and put him to the horne wranguslie; and thairfoir, and for certane caussis contenit in the saidis letters, he obtenit himself relaxt fra the said proces of horne, and be vertew thairof causit charge the said Dame Jane, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to the effect that the said Dame Jane's letters may be considerit be my Lord Regentis Grace and Counsale. Quhilk copy being gevin in as said is, and the said Erll oftymes callit and not comperand, the said David Dundas, servand and procuratour foirsaid, protestit that the said Dame Jane sould not be haldin to answer forder to the saidis letters purchest be the said Erll quhill schö wer of new chargeit agane be utheris letters, and that the saidis letters purchest aganis him mycht be put to forder executioun. Quhilk protestatioun my Lord Regentis Grace with avise of the saidis Lordis admittis, and ordanis the saidis letters purchest be the said Dame Jane to be put to forder executioun in all poyntis eftir the tennour thairof.

Apud Halyruidhous quinto Maii, anno etc. lxxiii°.

Collectouris dischargeit.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsall understanding how thir diverse yeris begane the ministeris of the Evangell hes bene greittumlie hinderit and defraudit of thair levingis and sustentationis throw the greit troubles standing within this realme, and the unequall distributioun of rentis quhairupoun thay aucht to have bene sustenit; and that the ministeris at diverse Generall Assembleis having ernistly cravit that thay mycht have speciall assignationis for payment of thair stipendis. And now my Lord Regentis Grace, considering the bipast abuse, and willing

to satisfy thair desire in all partis quhair commodiouslie it may fall, hes thocht it gude be avyise of the Commissionaris of the Kirk, that the ministeris salbe plantit and distributit throuchout the haill realme, and that thair stipendis salbe assignit and appointit to thame als neir and commodiouslie as may be to the place of thair residence; and for that effect hes appointit the names of the kirkis to be collectit and the ministeris to be distributit amangis thame, as also assignationis to be maid for payment of thair stipendis; and that the same ordour being put in forme salbe presentit to the nixt Generall Assemble of the Kirk or Commissionaris thairof, sa as it may tak full executioun and effect thaireftir, and the first payment to begin of the crop of the yeir of God $j^{m}v^{c}$ thre scoir threttene yeris instant, and of the Witsonday terme nixt to cum quhair malis ar. And in respect that the said ordour now to be takin will of necessitie alter sum thing of the assumptionis takin of befoir, and that gif thair be ony intromissioun of the said Witsonday maillis befoir the divulgatioun of the said new ordour, it will breid greit inconvenient and confusioun for the yeir to cum and prejuge the assignationis now to be maid.—Thairfoir ordanis letters to command and charge all and sindry the collectouris of the thridis within this realme, that nane of thame tak upoun hand to intromet, uptak, or ressave, ony of the said Witsonday termis maillis nixtocum, bot to let the samyn rest in the handis of the debtoris ay and quhill the divulgatioun of the said ordour to be tane; and to fense and arreist the same in the handis of the saidis debtouris in the menetyme; with certificatioun to thame and thay failye, makand payment to the saidis collectouris nochtwithstanding the said arreistment, thay salbe compellit to pay the same ower agane, according to justice.

Lord Torphechin.

Anent the terme assignit to James Lord Torphechin to bring and produce befoir my Lord Regentis Grace and Lordis of Secreit Counsall the gudis and geir confessit be him contenit in the supplicatioun presentit be our Soverane Lordis Advocattis to my Lord Regentis Grace and Lordis of Secreit Counsale, and to have comperit personalie and gevin his ayth de calumpnia that he had just caus to deny the rest contenit in the said supplicatioun;—in respect that the said Lord hes nowther brocht nor producit, the saidis gudis and geir confessit be him, nor comperit and gevin his ayth de columpnia at the day appointit according to the Act maid thairupoun; thairfoir my Lord Regentis Grace and Lordis of Secreit Counsall ordanis letters to be direct, chargeing the said James Lord of Torphechin to bring and produce the saidis gudis and geir confessit be him befoir my Lord Regentis Grace and Lordis of Secreit Counsall upoun the morne nixt eftir he be chargit thairto, and the same day to compeir personalie himself and gif his ayth de calumpnia that he hes just caus to deny the rest of the gudis contenit in the said supplicatioun; with certificatioun to him and he failye, the said haill supplicatioun salbe haldin pro confesso, and decreit salbe gevin according thairto and conforme to justice.

Apud Halyruidhous, sexto Maii, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—Domini ut in die predicto.

Anent oure Soverane Lordis letters rasit at the instance of Johnne Gray minister at Bathcat, aganis Alexander Hammiltoun in Bathcat, James Hammiltoun and Rowe Hammiltoun his sonnis, for the boisting and mannassing of the said Johnne for his bodelie harme and slauchter, geving of him injurious wordis and utherwayis makand impediment to him in serving of the cure of the said kirk, as at mair lenth is contenit in the principall letters rasit thairupoun. Quhilkis being callit, and bayth the saidis partiis comperand personalie; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, admittis the said principall letters to the said Johnne Grayis probatioun, and assignis to him the xiii day of Maii instant for preving of the poyntis thairof, and ordanis him to have letters to summond sic witnessis and to produce sic probatioun as he will use for preving of the samyn agane the said day, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne; and in the menetyme continewis the said mater in the samyn forme, force and effect as it is now, but prejudice of partie, unto the said day; bayth the saidis partiis warnit heirto apud acta. Johnne Gray. Alexander Hammiltoun.

Anent oure Soverane Lordis letters rasit at the instance of Maister Thomas Jak maister of the Grammar Scole of Glasgow and vicar of Eistwod, aganis Robert Lord Sympill and Sir Johnne Hammiltoun his servand, makand mentioun. That quhair the said Maister Thomas Jak being lauchfullie providit to the said vicarage be oure Soverane Lord and his authoritie, and admissioun of the Kirk according to the ordour observit;—quhairupoun he obtenit a decreit and letters in the four formes thairupoun aganis the parrochynnaris for answering him of the dewiteis of the samyn, and for thair dissobeying hes causit denunce thame rebellis and put thame to the horne, as the saidis decreit, letters and executioun thairof beris;—nochtwithstanding the said Robert Lord Sympill, hering of the said Maister Thomas provisioun, regairding nather our said Soverane Lord nor the Kirk of God, on his maner intrusit the said Sir Johnne Hammiltoun, a Papist preist, in the said vicarage, be the pretendit rycht the said Lord allegis him to have as Abbot of Paslay, and sa hes bereft the said Maister Thomas of the dewiteis of his said vicarage evir sen the day and dait of his said gift thairof; continewalie boisting and schoring him that gif he insistit to persew his rycht, he hes avowit to have his lyff alsua. And seing the said Maister Thomas hes obtenit all thing that justice and law may avale him aganis the said Lord and Sir John Hammiltoun, ressoun cravis the assistance and mantenance of oure Soverane Lord and his authoritie aganis sa greit a partie; and anent the charge gevin to the said Sir Johnne, to Mr. Thomas Jak. Sir Johnne Hammiltoun.

compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane,—and als to the said Lord Sympill to bring and present the said Sir Johnne befoir the said Regent and Counsall the said day, to answer to the complaint abonewrittin, and to heir and se ordour takin thairanent as appertenit, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis letters executioun and indorsatioun thairof. Quhilkis being diverse tymes callit, and the saidis personis not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to denunce the saidis Robert Lord Sympill and Sir Johnne Hammiltoun our Soverane Lordis rebellis, and put thame to the horne, and to escheit, etc.

Apud Haliruidhous, nono Maii, anno, etc. lxxiii°.

Bishop of Sanctandrois. The quhilk day, anent the actioun and caus intentit and persewit befoir my Lord Regentis Grace and Lordis of Secreit Counsale be ane reverend fader in God, Johnne Archbischop of Sanctandrois, in name and be ordinance of the haill ministeris within Fyff and gentilmen convenit at thair synodall haldin at Sanctandrois, the first of Apryle last bipast, aganis Thomas Cammo. Mortoun fear of Cammo, twicheing certane annuelrentis to be yeirlie upliftit of the landis and barony of Cammo, allegit to appertene to the saidis persewaris and wranguslie intromettit with be the said Thomas Mortoun,—lyke as at mair lenth is contenit in the principall letters rasit thairupoun. Quhilkis being callit, bayth the saidis partiis comperand personalie, my Lord Regentis Grace, with avise of the saidis Lordis, continewis the said mater in the samyn forme force and effect as it is now, but prejudice of partie, unto the sext day of Junii nix to cum; and ordanis bayth the saidis partiis, personalie present as said is, to bring and produce the said day thair rychtis and titillis quhairby ayther of thame acclamis the saidis annuelrentis to appertene to thame,—to be sene and considerit, and to heir and se ordour takin anent the same as appertenis, with certificatioun as efferis.

Apud Haliruidhous, xv Maii, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.
Robertus Comes de Buchane.
Willelmus Dominus Ruthven.
Robertus Dominus Boyd.
Allanus Dominus Cathcart.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Patrik Menzies. Forsamekill as it is being understand to my Lord Regentis Grace and Lordis of Secreit Counsale how the schip of Abirdene callit the Andro, quhairof Thomas Tait wes maister, laitlie returning furth of the partis of

France upoun conditioun and fraucht ressavit thairfoir, tuke in certane suspitious personis and letters to have bene careit and transportit in this realme, for heich and dangerous practizes aganis the estate of Cristiane religioun, and the royall persoun and authoritie of the Kingis Majestie oure Soverane Lord; quhilk schip being thairfoir stayit and arreistit in the haven of Leyth, as justlie fallin and becum in our Soverane Lordis handis be ressoun of escheit for the caus foirsaid; at last, upoun supplicatioun and persute of Patrik Menzeis burges of Abirdene, ownar of the said schip, the same schip wes randerit and deliverit agane to him upoun the compositioun of the sowme of four scoir crownis of the sone; quhilk sowme wes ressavit be the skippar and marchantis of the said schip the tyme of his said vayage in France as for the fraucht of the transporting of the saidis suspitious and unlauchfull personis and letters; and the said Patrik hes bene compellit and ordanit to pay the same to our Soverane Lordis use befoir the releif and libertie of his said schip, howbeit he nowther ressavit the saidis four scoir crownis, nor yit maid the conditioun thairanent; and swa of equitie and ressoun he aucht to haif his releif and recompensatioun of the same four scoir crownis, at thair handis quhilkis ressavit thame, and maid the said conditioun. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, decernis and ordanis the personis, merchandis and utheris—being within the said schip, quhilkis maid conditioun for hir transporting in maner and to the effect abonespecifiit, and ressavit the saidis four scoir crownis of fraucht thairfoir,—to rander and deliver agane the same four scoir crownis of the sone to the said Patrik Menzeis for his releif and recompensatioun of the lyke sowme alreddy payit and deliverit be him to oure Soverane Lordis use as said is, within sex dayis nixt eftir thay be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thay failye thairin, the saidis sex dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.; and that letters be direct heirupoun, gif neid be, in forme as efferis.

Apud Halyruidhous, vigesimo Maii, anno, etc. lxxiii°.

Charge on the Collectouris.

The quhilk day, my Lord Regentis Grace and Lordis Auditouris of the Chekker, persavand and understandand be the comptis that the collectouris underwrittin,—quha in the lxi, lxii, lxiii, and lxiiii yeris servit in the office of Collectorie, and had intromissioun with the thirdis of the benefices of the saidis yeris under Sir Johnne Wischert of Pittarro knycht Collectour Generall,—in thair particular comptis maid of the saidis yeris, gaif in diverse and sindry greit restis, and thairby wer fundin superexpendit at the fute of thair comptis maid to the said Generall Collectour; and he thairby, in his greit comptis maid to the Chekker, wes superexpendit in the sowme of iiii^{m}vii^{c}lxv ℔. xiii ß. 2 part đ. ob. Quhilk superexpenssis oure Soverane Lord mon se payit to the said Generall Collectour; and it is of veritie that the collectouris underwrittin in thair comptis of the yeris foirsaidis tuke allowance yeirlie to thame selffis and thair officiaris of thair haill feis, and

thairfoir aucht and sould bring in the restis gevin up be thame restand in thair comptis of the saidis yeris, alsweill for releif of oure Soverane Lord as for releif of the said Generall Collectour; and thairfoir ordanis letters to be direct to command and charge the saidis collectouris and everie ane of thame for thair awin partis, to compeir befoir my Lord Regentis Grace and Lordis Auditouris of Chekker at ane certane day, thair to ressave the extractis of the restis of thair comptis of the saidis yeris, ilkane for thair awin partis, and to mak diligence and inbring the saidis restis, and mak compt reknyng and payment thairof to oure Soverane Lord my Lord Regentis Grace and Lordis Auditouris foirsaidis, alsweill for releif of his Hienes as for releif of the said Collectour Generall, within xx dayis nixt eftir thair ressaving of the saidis extractis, or to allege ane ressonabill caus, with certificatioun, etc.

Apud Haliruidhous, xxii die mensis Maii, anno, etc. lxxiii°.

Sederunt—Domini ut in die predicto.

Toun of Mussilburch.

Anent oure Soverane Lordis letters rasit at the instance of the Baillies and Counsall of the toun of Mussilburgh and Fischerraw, makand mentioun;—that quhair according to the privilegis grantit to thame and thair said toun, thay intendit to have biggit upoun ane certane pece of thair propir commontie nixt adjacent to thair tolbuth, ane hous to have for thair counsalhous, a warding place and a place of pressoun for keping of malefactouris, and utherwayis to have servit the weilfair of thair said toun and decoring of the policie thairof. And quhen thay had lang travellit thairin, cassin the ground, laubourit thair hewin werk, led thair stanys, cassin and mixt thair lyme and sand, and in the space of xx dayis or thairby last bipast had brocht thair werk reddy to the lair, upoun the xvii and xviii dayis of Maii instant, under silence of nycht, James Dowglas servand to the auld Lady Edmestoun, Robert Johnnestoun in Nuddry Marschell alsua hir servand and tenent, Archibald Kame in Nuddry toun and Robert Wady wrycht thair, and thair complices to the nowmer of sextene personis,—bodin in feir of weir, upoun set purpois, havand with thame foir hammeris, mellis and utheris wappynnis, meit for sic laubour,—come to the saidis complenaris werk, and thair hes brokin thair haill hewin werk and utheris stanys quhairwith thay purposit to big, spred and sawin athort the haill lyme and sand quhilk thay had thair gadderit and maid to that effect. And quhen thay wer persavit be thair watche, thay invadit thame with quhinyeearis and utheris wappynnis, and held bendit pistolettis unto thame; and on this maner hes sa opprest the saidis complenaris and thair commoun werk that thay ar altogidder in feir of thair lyffis, boistit and mannassit at all tymes be the saidis personis for thair bodelie harme and slauchter, in hie contemptioun of oure Soverane Lord, his authoritie and lawis. And anent the charge gevin to the said personis, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to answer to the said complaint, under

James Dowglas and utheris.

the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye letters sal be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof.—Robert Sandersoun and Edward Wrycht Baillies of the said toun comperand personalie, for thame selffis and in name of the Counsale of the samyn; and the saidis personis complenit upoun oftymes callit and not comperand; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, to denunce the saidis James Dowglas, Robert Johnnestoun, Archibald Kame, and Robert Wadie oure Soverane Lordis rebellis, and put thame to the horne, and to escheit, etc.

Apud Haliruidhous, tertio Junii, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.	Joannes Dominus Maxwell.
Joannes Comes de Montroise.	Hugo Dominus Somervile.
Patricius Dominus Lindesay.	Episcopus Orchadensis.
Patricius Dominus Gray.	Dunfermling.
Robertus Dominus Boyd.	Clericus Registri.
Georgius Dominus Seytoun.	Clericus Justiciarie.

George Law.

Anent oure Soverane Lordis letters rasit at the instance of George Law sumtyme ane of the freris cordileris of Drumfreis, makand mentioun.—That quhair it wes appointit to him be the authoritie for the tyme, and assignit to him be Johnne Wischert of Pittarro knycht Comptrollar, and be the Laird of Tulibardin now Comptrollar, to be answerit of the sowme of sextene pundis money of this realme yeirlie, of the reddiest frutis of the landis and rentis of the saidis freris, as the saidis Comptrollaris preceptis direct thairupoun to the collectouris will testifie; and the said George wes in use of payment of the samyn fyve or sex yeris, as the comptis of the saidis collectouris beris. Nochttheles Charles Hume, sumtyme ane of the saidis freris cordileris of the said place, hes intromettit with the haill frutis thairof, and maid compactioun with the Provest Baillies and Counsall of the said burgh, and set to thame the frutis thairof—the ane half and mair within the avale as the said George is informit, and swa meanis to debar him fra ony proffeit of the samyn, being ane puyr man having na uther thing to leif upoun. And anent the charge gevin to Archibald Makbrair Provest of the said burgh of Drumfreis, Robert M'Ynneill and Harbert Raning Baillies of the samyn, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall, at ane certane day bigane, to answer to the complaint abonewrittin, and to heir and se utheris letters grantit, chargeing thame quha hes the handilling of the saidis freris place and frutis thairof to mak payment to the said complenar of the sowmes restand awand to him thairfoir bigane; and siclike to pay to him the said sowme of xvi li. money yeirlie in tyme cuming

Provest and Baillies of Drumfreis.

of the reddiest frutis and proffeittis of the said place, under the pane of horning; and to bring with thame thair gift of the landis abone expremit pertening to the said freris place, with the rentall of the samyn, under the pane of rebellioun and putting of thame to the horne; or ellis to schaw ane ressonabill caus quhy etc. lyk as at mair lenth is contenit in the saidis letters. The said persewar comperand be Robert Charteris of Kelwod his procuratour, and the saidis Provest and Baillies oftymes callit and not comperand; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to charge the saidis Provest and Baillies, yit as of befoir, to compeir befoir his Grace and Lordis of Secreit Counsale the day of to answer to the said complaint, and to heir and se the saidis letters grantit, chargeing the saidis Provest and Baillies of Drumfreis quha hes the handilling of the saidis freris places and frutis thairof, to mak payment to the said George of all sowmes restand awand be thame to him thairfoir bigane; and siclyke to pay to him the said sowme of sextene pundis yeirlie in tyme cuming of reddiest frutis and proffeittis of the said place, under the pane of rebellioun and putting of thame to the horne; or ellis to allege ane ressonabill caus quhy the samyn sould not be done; and siclyke to charge the saidis personis, to bring with thame thair gift of the landis abone expremit pertening to the saidis freris, togidder with the rentall thairof, under the said pane of rebellioun and putting of thame to the horne; and gif thay failye thairin, the said day being bipast, to denunce and to escheit etc.

Johnne and Alexander Wardlawis.

Anent oure Soverane Lordis letters rasit at the instance of Johnne and Alexander Wardlawis, brethir, servandis to Sir James Forester of Corstorphin knycht, makand mentioun.—That quhair about the moneth of Marche last bipast, thay being gangand at the harrowis upoun the said Sir James propir heretage in Langnuddry, occupiit with his awin gudis, thair come,

David Dowglas.

furth of the place of Frances Dowglas of Borg, David Douglas his broder, in feir of weir, and cruellie invadit the saidis complenaris and hurt and mutilat the said Johnne; and maisterfullie owerraid and chaissit the said Alexander sa that he verie narrowlie eschapit with his lyff. Be quhilk mutilatioun the said Johnne hes continewalie sensyne remanit in the burgh of Edinburgh under handilling of barbouris as he dois yit to the greit hazard of his lyff. Quhairthrow the saidis complenaris ar havelie molestit, oppressit and troublit, and dar na wayis remane nor laubour thair propir heretage in Langnuddry for feir of thair lyffis except remeid be providit. And anent the charge gevin to the said David Dowglas personalie apprehendit, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to answer and underly sic ordour and punisement thairfoir as the said Lord Regentis Grace and Lordis foirsaidis sould think expedient, under the pane of rebellioun and putting of him to the horne; and gif he failyeit, to denunce etc. lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Johnne Wardlaw comperand personalie with the said Sir Johnne

Forrester his maister, and the said David Dowglas being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, to denunce the said David Dowglas, and to escheit etc.

Apud Haliruidhous, quarto Junii, anno, etc. lxxiii°.

Anent the transporting of men of weir and Passingeris.

Forsamekill as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsale, that a gude nowmer of the liegis of this realme ar preparand and puttand thame selffis in reddines to pas to the sey under pretens to serve in the wearis in foreyn countreis, not having oure Soverane Lordis licence thairunto; be quhilk meanys thay may use hostilitie aganis the confiderat freindis of our Soverane Lord and this realme owther on sey or land, and swa procure inymitie and weare aganis the samyn—his Hienes presentlie, at Goddis gude pleasour, enjoying peace with all Christian Princes and commoun welthis—without haistie remeid be providit. Thairfoir my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of Edinburgh, Leyth, Dunde, Abirdene, Montroise and all uther places neidfull; and thair be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindry his Hienes liegis, alsweill men of weare as utheris passingeris quhatsumevir, that nane of thame tak upoun hand to tak schip or depart furth of this realme without thay be first under the charge of Capitanis havand his Hienes speciall licence to transport thame; or that utherwayis thay have particular licencis be thame selffis; under the pane of deid. And siclyke that na maner of maisteris skipparis or awnaris of schippis ressave ony capitanis, men of weir, or passingeris, to be transportit furth of this realme to ony partis beyond sey not having oure said Soverane Lordis speciall licence thairto, to be kepit for thair warrand, under the said pane of deid and confiscatioun of the schip—with the remanent gudis movabill of the saidis maisteris skipparis and awnaris—to oure Soverane Lordis use, for thair contemptioun.

Band of Archibald Ruthven.

The quhilk day Archibald Ruthven broder germane to Williame Lord Ruthven Thesaurare of Scotland, having obtenit oure Soverane Lordis licence to levey and tak up sextene hundrith wageit men of weare and to depart with thame to Swedin for serving of the king thairof, comperit in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, and actit and obleist himself as principall,—and Johnne Ross of Cragy, Williame Moncreif apperand of that Ilk, Williame Ruthven of Ballindane knycht, as cautionaris and souirteis for the said Archibald, conjunctlie and severalie,—that he sall not lift bot twa hundrith of the saidis men at anys, quhilkis he sall caus be schippit and transportit befoir he raise ony utheris; and swa to use the rasing of his men fra twa hundrith to twa hundrith, to be transportit as said is quhill he get his nowmer. Item, that the said Archibald

sall nowther directlie nor indirectlie lift nor transport ony Capitanis memberis of bandis or suddartis that presentlie ar or sal happin to be in our Soverane Lordis service, without speciall licence of the Regentis Grace. Item, that the said Archibald sall not be himself nor suddartis that he sall lift, transport, cary or caus be careit with him or thame, ony culveringis hagbuttis—or uther handgunnis morreonis nor corslettis, attour the nowmer of fyve hundrith; and sall caus the lyke nowmer to be brocht agane within this realme to be sauld, betuix and the last day of Apryle nixtocum. Item, the said Archibald sall caus the men he liftis leif upoun thair awin chargeis without ony maner of oppressioun to be done be thame quhill thay be transportit; and that he nor thay salbe na partakaris with ony subject of this realme of Scotland aganis ane uther. Item, he nor nane to be liftit be him as said is, in thair passing to Swaden, sall not invade, troubill, pilye nor tak geir fra ony the subjectis of this realme, nor na freindis nor confiderattis thairof. Item, that the said Archibald nor his suddartis to be uptakin be him sall na wayis serve with ony Papist aganis the Protestantis professing the Evangell of Jesus Chryst. Item, that he sall not amas his men in musteris nor utherwayis convene or hald thame togidder upoun the sowth syde of the watter of Forth, nor yit within sextene mylis of the Castell of Striveling, under the pane of ten thowsand merkis, and to be answerabill for the full redres of all sic gudis as salbe spuilyeit fra the freindis and confideratis of this realme,—quhilkis justlie may be cravit of the King and realme of Scotland in the awaypassing of the saidis men of weare, or remaning under the said Archibaldis charge,—to the awnaris thairof. And the said Williame Lord Ruthven obleissis him to releif the saidis souirteis of the premissis and of all pane and dangeare that thay sal happin to sustene thairthrow. Sic subscribitur: Ruthven. Johnne Ross of Cragy. W. Moncreif apperand. Williame Ruthven of Ballindane knycht.

Apud Halyruidhous, quinto Junii, anno, etc. lxxiii°.

That nane troubill the gentilwemen quhilkis wer in the Castell of Edinburgh.

Forsamekill as oure Soverane Lordis Castell of Edinburgh being laitlie recoverit out of the handis of his Hienes rebellis detenaris thairof, be the forces and ayde of the Quenis Majestie of England, the personis being thairin wer permittit to depart furth of the samyn unarmed and to depart quhair thay pleased, except a certane nowmer reservit without conditioun to the knawlege of hir Hienes advise how thay and everie ane of thame salbe usit in particular. And understanding that thair wes diverse ladiis, gentilwemen and uther wemen within the said Castell the tyme of the recovery thairof, aganis quhome my Lord Regentis Grace intendis not for thingis past to use ony extremitie—gude behaviour and obedience appearing in thame in tyme cuming. Thairfoir ordanis ane Herauld, Maser or ony uther officiar of armes to pas to the marcat croce of Edinburgh and all utheris placeis neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie mak publication and declaratioun that all the

subjectis of this realme may frelie and without ony fault to be imputed to thame heireftir ressave and interteny the saidis ladiis gentilwemen and utheris wemen, that wer within the said Castell, quhilkis ar permittit frelie to resort, hant and mak residence to thair freindis throw all the partis of this realme quhill speciall and farder ordour be takin and publissit thairanent; and that thair saidis freindis, nor na subjectis of the realme, salbe callit or persewit thairfoir, nor yit thay thame selffis troubled, bot may leif as the remanent fre subjectis as said is, throw and in all partis of this realme: Providing alwayis that the saidis ladiis gentilwemen and uther wemen that come furth of the said Castell of Edinburgh the tyme of the recovery thairof behave thame selffis quietlie and honestlie, and do, nor attempt, na thing in word or actioun, directlie nor indirectlie, aganis oure said Soverane Lord, his authoritie and lawis; and that letters be direct heirupoun, gif neid be, in forme as efferis.

Apud Edinburgh, sexto Junii, anno, etc. lxxiii°.

Capitane Robesonis Band.

The quhilk day, Capitane Thomas Robesoun—having obtenit oure Soverane Lordis licence to levey and tak up thre hundrith wageit men of weare and to depart with thame in the Law Cuntreis for serving in the defence of Goddis trew religioun aganis the persecutiouris thairof, comperit in presens of my Lord Regentis Grace and Lordis of Secreit Counsale and actit and obleist him self as principall and Johnne Menteith of Kerse knycht as cautionar and souirtie for the said Capitane Thomas, conjunctlie and severalie, that he sall nowther, directlie nor indirectlie, lift nor transport ony Capitanis memberis of bandis or suddartis that presentlie ar in oure Soverane Lordis service without speciall licence of the Regentis Grace. Item, that the said Capitane Thomas sall caus the lyke nowmer of culveringis, hagbuttis and uther hand gunnis, morreonis, and corslettis, as presentlie he takis with him and his cumpany, to be brocht agane within this realme to be sauld betuix and the first day of Februare nixtocum. Item, that he sall caus his men he liftis leif upoun thair awin charges without ony maner of oppressioun to be done be thame quhill thay be transportit; and that he nor thay sall be na partakaris with ony subjectis of this realme of Scotland aganis ony uther. Item, that he nor nane to be liftit be him as said is in thair passing to the saidis Law Cuntreis, sall not invade, troubill, pilye or tak geir fra, ony the subjectis of this realme, nor na freindis and confiderattis thairof. Item, that thay sall na wayis serve with ony Papistis aganis the Protestantis professouris of the Evangell of Jesus Chryst. Item, that he sall not convene, nor hald his men in musteris togidder within sextene mylis of the Castell of Striveling, under the pane of fyve thowsand merkis, and to be answerabill for the full redres of all sic gudis as salbe spuilyeit fra the freindis and confiderattis of this realme—quhilkis justlie may be cravit of the King and realme of Scotland in the awaypassing of the saidis men of weare or remaning under the said Capitane Thomas charge—to the awnaris thairof. And the said Capitane

Thomas obleist him, his airis and executouris, to releif the said Johnne Menteith of the premissis and of all pane, etc. Sic subscribitur: Johnne Menteith of the Kerse. Thomas Robesoun.

Apud Haliruidhous, octavo Junii, anno, etc. lxxiii°.

Capitane Campbellis Band.

The quhilk day, Capitane Alexander Campbell having obtenit oure Soverane Lordis licence, to levy and tak up thre hundrith men of weare, horsmen and futemen and to transport thame furth of this realme to Swadin for serving the King thairof, comperit in presens of my Lord Regentis Grace and Lordis of Secreit Counsal [and obliged himself in the same terms as those narrated in the previous band, his cautioners being John Carmichael of that Ilk and William Crawford of Fedderet [1]].

Mr. Alexander Andersoun ordanit to gif the Confessioun of Fayth.

The quhilk day, Maister Alexander Andersoun sumtyme Principall of the College of Auld Abirdene, wes ordanit to present his supplicatioun to the Superintendent of Lowthiane, the minister and Kirk of Edinburgh, in the tyme of thair first ordinar sessioun quhen convenientlie thay may be present togidder; and in thair presence to gif the confessioun of his fayth upoun the articles contenit in the Actis of Parliament maid in the first yeir of the regnne of oure Soverane Lord, admittand that the report of the said Superintendent minister and Kirk upoun the said Confessioun gevin, salbe alyke valide and sufficient as gif the same had bene maid and gevin befoir the Commissionar of the Kirk within the Diocie of Abirdene; and in the menetyme ordanit the said Maister Alexander to abyde and remane, within the burgh of Edinburgh the Cannogait and Leyth, and to find souertie thairupoun under the pane of ane thowsand markis within xxiiii houris nixtheireftir, under the pane of rebellioun; with certificatioun to him and he failye, he salbe put to the horne.

Apud Haliruidhous, nono Junii, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.	Georgius Dominus Seytoun.
Archibaldus Comes Ergadie.	Dominus Oliphant.
Joannes Comes de Montroise.	Hugo Dominus Somervile.
Robertus Comes de Buchane.	Joannes Dominus Hereis.
Willelmus Dominus Ruthven.	Orchadensis.
Patricius Dominus Lindesay.	Clericus Registri.
Robertus Dominus Boyd.	Clericus Justiciarie.
Willelmus Dominus Yeistir.	Advocatus.

Mr. Robert Wilky.

Anent oure Soverane Lordis letters rasit at the instance of Maister Robert Wilke Regent in Sanct Leonardis College in Sanctandrois, makand mentioun;—that quhair he being lauchfullie providit be oure Soverane Lord with admissioun of the Superintendent to the Chaplanerie of Sanct Johne

[1] See p. 237.

and Sanct Olave, situat within the College Kirk of Sanct Salvatour, within the said citie, rasit letters summoning all personis and partiis havand entres, to heir utheris letters in all the four formes gevin for answering and obeying to him thairof, lyke as James Fiddes—allegeing him to be providit thairto be Maister Johnne Rutherfurde Provest of the said College of Sanct Salvatour,—rasit the lyke letters for causing him be answerit and obeyit of the samyn. Quhilkis letters being bayth callit befoir the Lordis of Sessioun upoun the sext day of Marche, the yeir of God j^{m}v^{c}lxx yeris, it wes allegeit for the part of the said James that the rycht of the patronage of the said Chaiplanerie pertenit to the Erll of Craufurd,—and gif he wer negligent in presenting of ane chaiplane thairto in dew tyme that the gift thairof pertenit to the said Provest, be quhais sycht he wes providit to the said chaiplanerie; and on the uther part it wes allegeit be the said Mr. Robert that the rycht of the said patronage pertenit of auld and pertenis to the Abbot and Convent of Lundoris—as it is in deid,—and that Maister Johnne Broun last chaplane of the said chaiplanerie wes presentit thairto be the said Abbot of Lundoris. In respect of the quhilk allegeance, the saidis Lordis of Sessioun be thair Act assignit to ayther of thame—partiis—the xxii day of the said moneth of Marche, for productioun of ayther of thair rychtis, to be sene and considerit be thame, that thay mycht have procedit thairin as accordis of the law, and supercedand the discussioun of thair saidis allegeances and answeris. Quhilk mater being callit agane befoir the saidis Lordis upoun the xxviii day of the said moneth of Marche, the said James Fiddes and his procuratour producit ane sympill register and rentall buke of the said College for his titill, lyke as the said Maister Robert on the uther part produceit his said predecessouris presentatioun of the Abbot of Lundoris with his institutioun thairupoun, and als letters of diligence aganis the said Abbot and Convent, for productioun of thair fundatioun of the said patronage; at the quhilk tyme the said mater slepit and na forder proces than led thairintill be ressoun of the troubles within this realme. And howsone thair wes apperance of justice upoun the xviii day of December last bipast, the said Maister Robert rasit new letters for walkynning the said mater agane, swa that farder proces mycht have bene led thairintill quhair it left, quhilk wes dewlie execute and dalie cassin in befoir the saidis Lordis of Sessioun for calling thairof, quhair the said mater lyis yit dependand undecydit. Nochttheles the said James Fiddes, be quhat meanis the said Maister Robert knawis not, in prejudice of the saidis Lordis of Sessionis decreit to be gevin in the said mater, hes obtenit befoir my Lord Regentis Grace and Lordis of Secreit Counsale ane pretendit decreit, with letters thairupoun in all the four formes, chargeing the tenentis and annuellaris, to answer and obey to him, and swa intendis to becum in possessioun of the said Chaiplanerie,—albeit in veritie the said decreit be maist inordourlie procedit in sa far as the said Maister Robert—havand speciall rycht and entres to the said Chaiplanerie be ressoun foirsaid, and being onelie partie to him quhairof, he wes certane throw the dependance foirsaid—wes not lauchfullie warnit nor

James Fiddes.

callit thairto as the said decreit will testifie as he sould have bene of the law and practik of this realme; and farder the said mater being depend- and befoir the saidis Lordis of Sessioun, jugeis competent thairto, and large proces led thairintill befoir thame in maner foirsaid, quhair the samyn yit dependis but ony finall end thairof; my Lord Regentis Grace and Lordis foirsaidis aucht not to have procedit thairintill, nor yit wer thay competent jugeis to sic caussis, bot owther the saidis Lordis of Sessioun or Commissaris of Edinburgh, according to the Actis of Parliament laitlie maid thairanent. And thairfoir the said decreit and letters past thairupoun aucht to be suspendit, and the said mater remittit agane to the saidis Lordis of Sessioun to be procedit in and decydit be thame as accordis of the law. And anent the charge gevin to the said James Fiddes, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand with him the said pretendit decreit and letters in the four formes past thairupoun, to be sene and considerit be my Lord Regentis Grace and Lordis foirsaidis, and to heir and se the samyn effect thairof and horning contenit thairintill be simpliciter suspendit upoun the said Maister Robert tenentis and annuellaris of the said chaiplanerie, and the said mater remittit agane to the saidis Lordis of Sessioun, quhair the samyn tuke begynning, to be decydit be thame as accordis of the law for the caussis foirsaidis, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilk being callit bayth the saidis partiis comperand personalie, thair rychtis, ressonis etc.; my Lord Regentis Grace, with avise of the saidis Lordis, findis the said decreit gevin be thame selffis in favouris of the said James Fiddes gude and sufficient, and yit that our Soverane Lord sall not be prejugit in his patronage; and ordanis the said James to be presentit of new to the said chaiplanerie be the said Provest, to be broukit be him in tyme cuming during the space of fyve yeris eftir the deceis of the last possessour, quhilk wes in the moneth of November last bipast, in this instant yeir of God j^{m}v^{c}lxxiii yeris; and ordanis that na chaplanriis nor prebendariis be gevin be the Bischoppis or Superintendentis in tyme cuming, jure devoluto, to ony persoun or personis, quhill advertisement be gevin to oure Soverane Lord or my Lord Regentis Grace in his Hienes name.

Johnne Millar. The quhilk [day], Johnne Millar Burges of Perth obleist himself that he sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, quhen he salbe requirit thairto, on xv dayis warning, being within the realme, and upoun thre scoir dayis warning being without the realme, to answer to sic thingis as salbe inquirit of him, under the pane of fyve hundrith markis; and in respect of the said obligatioun, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis all arreistmentis maid upoun quhatsumevir the said Johnnes gudis to be lowsit, swa that he may transport and depart thairwith at his plesour, and that quhatsumevir officiar of armes lowis the said arreistment at the sicht heirof. Sic subscribitur: Johnne Millar with my hand.

Apud Haliruidhous, decimo Junii, anno, etc. lxxiii°.

Proclamatioun to meit the Lieutenent for persute of Paslay.

Forsamekill as be the pacificatioun maid and concludit at the burgh of Perth upoun the xxiii day of Februare last bipast, ratifiit and apprevit in the lait Parliament, it wes decernit and declarit that Lord Claude Hammiltoun Commendatare of Paslay sould be restorit and possessit to his benefice of Paslay, to enjoy the same als frelie as gif the troubles bipast had nevir happynnit, and that for the commoun peace and quietnes of the realme and the universall obedience of our Soverane Lordis authoritie, quhilk pacificatioun wes sa concludit, with resolute deliberatioun promissit be nobill men and utheris oure Soverane Lordis Commissionaris, allowit be the Regent and Estattes of the realme in Parliament. And howbeit the said Lord Regent hes travellit be all gude and favourabill meanis with Robert Lord Sympill—and that alsua our Soverane Lordis chargeis hes bene usit aganis him—for randering of the Hous and Abbay of Paslay to the said Lord Claude Commendatare thairof, yit is na obedience schawin thairto; althoch in the end necessitie hes constranit to command and charge the said hous, place and abbay to be randerit to his Hienes awin officiar, under the pane of tressoun, quhilk is alsua dissobeyit. And seing the said pacificatioun, being for the publict weill of the realme, mon be observit and aucht to be preferrit to ony prevat personis interest; neidfull it is that it, quhilk his Hienes chargeis nor favourabill admonitionis can not obtene, salbe recoverit be his Hienes forces; and for that purpois his Majesteis Commissioun of Lieutenendry is directit to Archibald Erll of Ergyle Lord Campbell and Lorne Chancellair and Justice Generall of the realme, to pas and use his Hienes power and forces for assegeing and recovery of the said Place and Abbay. Thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to the marcat croces of Lanark, Dunbartane, Renfrew, Glasgow, Air, and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie command and charge all and sindry his Hienes liegis betuix lx and xvi yeris, and utheris fensabill personis—alsweill dwelland to burgh as to land, within regalitie as ryaltie—within the boundis of the Nethir Ward of Cliddisdaill—quhilk is of the Sherefdome of Lanark, the haill Sherefdome of Dunbartane,—and within the boundis of the parrochynnis of the sevin kirkis of Strivelingschyre quhilkis ar in the Levenax,—as alsua within the Sherefdomes of Renfrew and Air, and Baillieries of Kyle, Carrik, and Cunynghame;—that thay and ilk ane of thame weill bodin in feir of weir, with xx dayis victuallis and provisioun eftir thair cuming, addres thame to convene and meit the said Lord Lieutenent at Glasgow the xxvii day of Junii instant; and thairfra to pas furthwart with him, and to serve and await as thay salbe commandit and directit for assegeing and recovery of the said Place and Abbay of Paslay, and reduceing of the rebellious personis being thairin to oure Soverane Lordis obedience, and sa to continew during the said space of xx dayis, under the pane of tinsall of lyff landis and

gudis. And als ordanis letters to be direct to charge all maner of personis within the saidis boundis, and als within the boundis of the Sherefdomes of Edinburgh Principall, Linlythquow, and Striveling, that thay and ilk ane of thame prepair thair oxin, and haif thame in reddines for drawing of ordinance and munitioun toward the said Place and Abbay according to the accustumat use, as thay salbe of new commandit, upoun sex houris warning, under the pane of xl ℔. for ilk ox that salbe fund absent at the tyme and places to be appointit.

Apud Halyruidhous, xii Junii, anno, etc. lxxiii°.

Caution for Johnne Ramsay.

The quhilk day, Maister Johnne Prestoun, burges of Edinburgh, become actit cautionar and souirtie, to entir and present Johnne Ramsay youngar, alsua burges of the said burgh, befoir my said Lord Regentis Grace and Lordis of Secreit Counsale, as the said Maister Johnne salbe requirit thairto upoun xxiiii houris warning, under the pane of ane thousand pundis.

Apud Haliruidhous, xxi Junii, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.	Adam Episcopus Orchadensis.
Joannes Dominus Maxwell.	Robertus Commendatarius Dunfermling.
Willelmus Dominus Yeistir.	Clericus Registri.
Robertus Dominus Boyd.	Clericus Justiciarie.
Joannes Dominus Hereis.	

Proclamatioun upoun the Thevis.

Forsamekill as the thevis and disorderit people inhabiting the Bordouris, taking advantage of the lait troubles in the inver part of the realme, hes havelie vexit and grevit the Kingis gude subjectis, with birningis, slauchteris, heirschippis of thair gudis, ransoning of thair personis, and contraning thame to pay blak maill, quhairby divers gude and proffeittabill landis ar utterlie herreit and laid waist, to the greit hurt of the commoun weill; in quhilk trade thay still continew; for repressing of quhais insolence and dissobedience, and releif of the puyr people sa lang oppressit and owerthrawin, my Lord Regentis Grace, with avise of the Lordis of Prevy Counsale, hes thocht convenient, with a force and power of oure Soverane Lordis faythfull and obedient subjectis, to persew the saidis thevis and disorderit people with fyre and swerd quhill thay be supprest or brocht to obedience. Thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of the burrowis of Edinburgh, Haddingtoun, Linlythquow, Striveling, Dunbartane, Renfrew, Lanark, Air, Wigtoun, Drumfreis, Peblis, Selkirk, Jedburgh, Lawder and Dunse: and thair be oppin proclamatioun in oure Soverane Lordis name and authoritie, command and charge all and sindry his Hienes liegis betuix thre scoir and sextene yeris, and utheris fensabill

personis, alsweill to burgh as to land, within regalitie as ryaltie, within the boundis of the Sherefdomes of Edinburgh Principall, and within the Constabularie of Hadingtoun, Linlythquow, Striveling, Dunbartane, Renfrew, Lanark, Air, Wigtoun, Drumfreis, Peblis, Selkirk, Roxburgh, Berwik, Stewartreis of Kirkcudbrycht and Annandirdaill, and Baillieris of Kyle, Carrik, and Cunynghame,—that thay and ilkane of thame, weill bodin in feir of weare, with xx dayis victuallis and provisioun eftir thair cuming, and with cariage and palyeonis to ly on the feildis, addres thame to meit my Lord Regentis Grace at the burgh of Peblis, the twenty day of Julii nix to cum, and fra that to pas furthwart as thay salbe commandit for persute and invasioun of the saidis thevis and disorderit people, and reduceing of thame to oure Soverane Lordis obedience, under the pane of tinsell of lyff, landis, and gudis.

Apud Haliruidhous, xxii die mensis Junii, anno Domini j^{m}v^{c}lxxiii^{o}.

Anent the Thevis gudis.

Forsamekill as for suppressing of the thevis and disorderit people inhabiting the Bordouris and reduceing of thame to oure Soverane Lordis obedience, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, hes thocht convenient and concludit that thay salbe persewit with a force and power of his Hienes faythfull subjectis, to be convenit at the burgh of Peblis the xx day of Julii nix to cum, as in the proclamationis direct thairupoun mair largelie is contenit. And becaus it is understand that in tyme of lyke persute maid heirtofoir aganis thame, the les gude succes and expeditioun wes found, be ressoun the cattill and gudis of the thevis wer resset and tane in keping amangis certane thair previe freindis and favouraris in the inver partis of the realme; quhilk collusioun, gif it sould alsua now be usit, wald greitlie hinder the intentioun of my Lord Regentis Grace and incourage the thevis in thair rebellioun. Thairfoir his Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing all and sindry oure Soverane Lordis liegis, be oppin proclamatioun at the marcat croces of Dunse, Lawder, Jedburgh, Selkirk, Peblis, Lanark and Drumfreis, that nane of thame tak upoun hand, to resset, supple or intercommoun with ony of the saidis thevis, or gif thame meit, drink, hous or herbry, nor yit ressave ony of thair gudis and cattell in keping or under cullour of bying or uther cullour quhatsumevir, in defraude of the persute and punisement intendit aganis thame,—under the pane of deid and confiscatioun of all thair guidis movabill, and to be repute and haldin participant with the saidis thevis and brokin men in all thair thiftuous and evill deidis: certifeing all oure Soverane Lordis liegis that will reveill and mak knawin the resettaris of the saidis thevis cattell and gudis, and oppin the meanys how the same may be verifiit—quhidder it be oppin avowing or uther probabill demonstratioun, quhairthrow owther the gudis may be apprehendit or the resettaris convict be ane assyise—the revelar sal haif the thrid of the saidis gudis or the avale thairof at thair

awin chose and optioun; certifeing alsua all concelaris of the ressett of the saidis gudis that thay salbe repute and haldin alyke culpabill of the same ressett as gif thay had committit the samyn thame selffis.

Apud Haliruidhous, xxv Junii, anno, etc. lxxiii°.

Alexander Hume.

Forsamekill as anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Alexander Hume of Northberwik Manys, makand mentioun.—That quhair upoun Settirday the xiii day of Junii instant, he beand rydand out of the burgh of Edinburgh hame to his hous at Northberwik, upoun chance he tuke Raulph Swynno, being rebell fugitive and declarit tratour to the Quenis Majestie of England, and ane notour theif on bayth the Bordouris of England and Scotland; quha alsua the tyme my Lord Regentis Grace and nobilitie for the tyme assegeit the burgh of Edinburgh, quhair than the said Alexander Hume wes actuallie in service, in the moneth of October 1572, the said Raulphe, with his complices come to the said Alexanderis steding of Tottanschaw in Lammermure,—and thair reft and staw xvi ky and oxin, twa hors and mearis, xxx ℔. of silver, with the haill insicht gudis of the houssis,—and mutilat the wyff of Pait Donald, being puyr tenent of the saidis landis to the said Alexander; quhairfoir laid handis on the said Raulphe, tending to have careit him hame with him quhill my Lord Regentis Grace returning out of the burgh of Striveling, that than the said Raulphe mycht have bene presentit befoir his Grace, and deliverit in his Graces handis to have underlyne the lawis for his demerittis. Bot as the said Alexander wes passand hame at the eist end of Seytoun Sandis, George Lord Seytoun, Robert Seytoun and Johnne Seytoun his sonnis, Thomas Hammiltoun of Prestisfeild, with ane cumpany of utheris bodin in feir of weare, with swerdis, knapskais and pistollettis, invadit and set upoun him, being solitar with his servand, and maisterfullie reft the said Raulphe fra him, boistit and mannassit him with diverse injurious wordis, saying that the said Raulphe—being a manifest theif—wes mair honest man nor he; and alwayis as yit withhaldis fra him the said Raulphe being his presonar,—and will not restoir him again to the said Alexander, to the effect he may be presentit befoir my Lord Regentis Grace that justice may be usit upoun him conforme to the lawis of this realme; or otherwayis usit as his Grace sall think meit,—without thay be compellit. And anent the charge gevin to the said Lord Seytoun and his sonnis, to compeir befoir my Lord Regentis Grace and Prevy Counsall this day, to answer to the said complaint. The said Alexander Hume comperand personalie and the said George Lord Seytoun comperand alsua personalie; thair ressonis and allegationis being hard and understand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to command and charge the said George Lord Seytoun, to rander and restoir the said Raulphe Swynno to the said Alexander Hume of Northberwik and in his handis; or ellis to satisfie the said Pait Donald for the gudis and money abonewrittin reft and takin fra him as said is, within xv

Lord Seytoun.

dayis nixt eftir the said Lord be chargeit thairto, under the pane of rebellioun; and gif he failye thairin, the saidis xv dayis being bipast, to denunce and to escheit, etc.

Apud Haliruidhous, xxvii Junii, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.
Willelmus Dominus Ruthven Thesaurarius.
Robertus Dominus Boyd.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Clericus Rgistri.
Clericus Justiciarie.

William Auchinlek.

Anent oure Soverane Lordis letters rasit at the instance of Williame Auchinlek burges of Dunde, makand mentioun.—That quhair upoun his supplication gevin in to umquhile Johnne Erll of Mar Regent of this realme, quha havand consideratioun that the said Williame wes schot with ane greit bullett throw the bane of his leg, and thairby mutilat and maid unabill to win his leving in his Graces service amangis his nychbouris and brethir of Dunde,—at oure Soverane Lordis Parliament haldin in the Cannogait, the said umquhile Regent ordanit and commandit James Lovell burges and custumar of the said burgh of Dunde, to content and pay to the said Williame the sowme of fourty pundis of the reddiest of the custumes of the said burgh, as the ordinance maid upoun the bak of his said supplicatioun subscrivit be the said Regent, of the dait the xi day of Julii the yeir of God j^{m}v^{c}lxxii yeris, at mair lenth proportis: nevirtheles the said Williame nevir gat nor can obtene na payment thairof fra the said James Lovell, nochtwithstanding that he, his wyff and bairnis, ar in greit povertie and miserie for lak of thair sustentatioun. And anent the charge gevin to the said James, to content and pay to the said Williame the said sowme of fourty pundis of the reddiest custumes of the said burgh, conforme to the command gevin to him of befoir, within sex dayis eftir the charge, or ellis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun the sext day nixt eftir the said charge, and schaw ane ressonabill caus quhy the samyn sould not be done; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof.—The said Williame comperand be George Auchinlek servand to my Lord Regentis Grace, and the said James Lovell oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, command, and charge the said James to content and pay to the said Williame the said sowme of fourty pundis of the reddiest custumes of the said burgh, conforme to the command gevin to him of befoir within sex dayis nixt eftir he be chargeit thairto, under the pane of rebellioun, etc., and gif he failyeis thairin, the saidis sex dayis being bipast, to denunce, etc., and to escheit, etc.

James Lovell.

Continewatioun of the formar proclamatioun anent the Thevis.

Forsamekill as for repressing of the raige, crueltie, stowth, and oppressioun, of the thevis and disorderit people inhabitantis of the Bordouris of the realme, having during the lait troubles, continewit in slauchter birningis heirschippis and depredationis aganis the peciabill and gude subjectis of the cuntreis nixt adjacent, my Lord Regentis Grace, with a power of the Kingis Majesteis gude subjectis, is myndit to pas to the Bordouris, and to that effect proclamationis ar set out and execute to meit at Peblis, the xx day of Julii nix to cum; and seing bayth his Grace and the nobill men and utheris liegis subject to the said proclamatioun necessarlie mon be occupiit in preparationis for the said raid and army, and that in the menetyme it is not convenient that thair be ony convocationis of the liegis drawin togidder on pretense of dayis of law or utherwayis,—alsweill for the hinder it may mak to the expeditioun aganis the thevis, as for the inconvenient that may follow be bringing multitudis of people in a place not fully reconciliat and setled eftir the lait troubles. For eschewing of quhilkis apparent inconvenientis, my Lord Regentis Grace and Lordis of Previe Counsall, hes thocht convenient that rather caussis be sumquhat differrit, in respect of the necessitie of the publict service and commoun weill of the realme; and thairfoir hes commandit, and be the tennour heirof commandis the Justice, Justice Clerk, and thair Deputtis, to desist and ceis fra all proceding in ony Justice Courtis appointit betuix and the said xx day of Julii nix to cum, or during the tyme of the said raid and army ordanit aganis the thevis; bot ayther to continew the samyn quhill the begynning of October nixt upoun the comperance or desire of the partiis, or ellis let thame desert, quhill new calling, at the discretioun of the said Justice and Justice Clerk; and als ordanis letters to be direct to mak publicatioun, etc.

Apud Haliruidhous, xxix die mensis Junii, anno, etc. lxxiii°.

Sederunt—Domini ut in die predicto.

Charge on Marie Flemyng.

Anent oure Soverane Lordis letters direct, makand mentioun; forsamekill as the jowellis, houshald stuff, munitioun and movabill gudis sumtyme pertening to the Quene oure Soverane Lordis moder, and pertening to his Hienes sen his coronatioun, ar dispersit and fallin in the handis of diverse his Majesteis subjectis and utheris; and it is fund expedient be the thre Estattes of Parliament haldin at Edinburgh in the moneth of Januare last bipast, that my Lord Regentis Grace sould caus persew the havaris, resettaris, or intromettouris with, the saidis jowellis, houshald stuff, munitionis and movabill gudis, now pertening to oure Soverane Lord as said is, for recovering and collecting of the same agane to his Hienes use and behuif; and hes declarit and decernit that the said Lord Regentis acquittance salbe sufficient discharge and warrand for deliverance of the saidis jowellis, houshald stuff, munitionis and movables foirsaidis, presentlie and in all tyme cuming, as the Act of Parliament maid thairupoun beris.[1]

[1] See the Act of 1572, "Tueching the recovering and collecting of the Kingis Majesties jewellis and moveables."—Act Parl. Scot. iii. 374.

And trewth it is that Marie Flemyng, relict of umquhile Williame Maitland, sumtyme of Lethingtoun, youngar, hes in her handis the peces following; that is to say, ane chayn of rubeis with twelf markes of dyamontis and rubeis, and ane mark with twa rubeis. And anent the charge gevin to the said Marie Flemyng to present and exhibit the saidis jowellis befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, and to heir and se the same jowellis decernit to be randerit and deliverit to the said Lord Regent in our Soverane Lordis name to his Hienes use and behuif; or ellis to allege ane ressonabill caus quhy the samyn sould not be done; under the pane of rebellioun and putting of hir to the horne; with certificatioun to hir and schö failyeit, letters sould be direct simpliciter to put hir to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the said Marie Flemyng comperand personalie, nowder did exhibit nor present the saidis jowellis, nor yit schew ony ressonabill caus quhy schö sould not do the samyn. Quhairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, decernis and ordanis the said Marie Flemyng to rander and deliver the saidis jowellis pertening to oure Soverane Lord quhilk schö hes in hir handis to the said Lord Regent, in our Soverane Lordis name, and to his Hienes use and behuif, within sex dayis eftir the charge, under the pane of rebellioun; and gif schö failyeis thairin, the saidis sex dayis being bipast, to denunce, etc.; and ordanis letters to be direct heirupoun in dew forme as efferis.

Apud Haliruidhous, quarto Julii, anno, etc. lxxiii°.

Lady Hume producit Jowellis.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Agnes Gray Lady Hume, and producit fyftene dyamontis all set in gold ianimalit with quhyte, togidder with ane carcat of perll contenand sevin greit perle and aucht knoppis of small perle, every knop contenand fyftene small perle, quhilk wes laid to hir in gage be the Laird of Grange upoun the sowme of sex hundrith pundis money of this realme being requirit thairto as appertenand to oure Soverane Lord, and deliverit the same to my Lord Regentis Grace, and thairupoun askit instrument.

Caution for Mr. James Irwing.

The quhilk day Alexander Ogilvy of Boyne become cautionar and souirtie for Mr. James Irwing, broder germane to Alexander Irwing of Drum, that he sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall upoun the last day of August nix to cum, to answer to sic thingis as salbe inquirit of him at his cuming; and in the menetyme sall behave himself decentlie and honestlie in quhatsumevir partis of this realme quhair he resortis; and sall do nor attempt na thing in word or deid aganis the state of the Christian religioun publictly preached and establissit within this realme, nor the authoritie of oure Soverane Lord, under the pane of twa thowsand pundis. Sic subscribitur: Alexander Ogilvy of Boyne.

Apud Halyruidhous, sexto Julii, anno Domini j^m v^c lxxiii^o.

Sederunt—

Jacobus Dominus Regens.
Willelmus Dominus Ruthven, Thesaurarius.
Robertus Dominus Boyd.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Charge on certane men of Air.

Anent the charge gevin be vertew of oure Soverane Lordis letters, to Johnne Stewart bailie of the burgh of Air, Barnard Stewart, Adam Stewart brother, and James Stewart, indwellar of the same burgh, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale, at ane certane day bipast; and the said Johnne Stewart baillie foirsaid, to bring and present the saidis utheris personis, indwellaris of the said burgh, befoir my said Lord Regentis Grace and Counsall the said day, to have answerit to sic thingis as sould be laid to thair charge at thair cuming, tuicheing thair dissobedience to Paull Reid, burges of Air, the tyme that he wes Baillie thairof in his office and utherwayis, and for thair inordinat handilling of him sensyne; and forder to answer at his instance in this mater and upoun utheris crymes and offences done and committit be thame, under the pane of rebellioun and putting of thame to the horne; and gif thai failyeit thairin, the said day being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc., lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Paule Reid comperand personalie, the saidis Johnne Stewart and Adam his broder being alsua personalie present, and the saidis Barnard and James Stewart oftymes callit and not comperand; the ressonis and allegationis of the personis present being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith;—my Lord Regentis Grace, with avise of the saidis Lordis, remittis the tryell of the saidis crymes and offencis to the Provest and Counsall of the said burgh, ordaning thame to tak tryell of the same, and to proceid and minister justice thairin, conforme to the lawis and practik of this realme, as thay will answer to God and our Soverane Lord upoun the executioun of thair offices. Attour George Corry of Kelwod become cautionar and souirtie for the said Paule Reid, and als for the saidis Johnne and Adam Stewartis, that thay sall behave thame selffis quietlie and honestlie in tyme cuming to utheris in all thair actionis and effaris; and that thay nor nane of thame, sall invade molest or persew utheris be way of deid, utherwayis nor be ordour of law and justice, ilkane of thame under the pane of fyve hundrith pundis; and the saidis Paule, Johnne, and Adam, obleist thame to releif, etc., thair said souirtie of the premissis and of all pane and dangeare that he sal happin to sustene thairthrow.

Lard Rosling.

The quhilk day, anent the charge gevin to Sir Williame Sinclair of Rosling knycht, to exhibit and produce befoir my Lord Regentis Grace and Lordis of Secreit Counsale certane buttownis of gold sumtyme pertenand to oure Soverane Lordis moder, gevin to him in plege, contenand in nowmer sextene dosane and aucht buttownis, of the wecht xxxi unce; quha eftir he had comperit and denyit the ressait thairof, affirmand that Maister Thomas Makcalyeane had ressavit the same; quhairthrow the said Maister Thomas, being callit to answer super inquirendis, confessit the ressait of sa mony buttownis of the wecht foirsaid fra the said Sir Williame Sinclair, be vertew of his writting, under his subscriptioun contening the selling and deliverance thairof, maid be him to the said Maister Thomas for the sowme of fyve hundrith merkis ressavit be him for the samyn, quhairof the said Maister Thomas being chargeit to mak exhibitioun, exhibit the same of the nowmer and wecht foirsaid, and desyrit ane day to call the said Sir Williame for his warrand. Quhilk desire nochtwithstanding, my Lord Regentis Grace and Lordis foirsaidis decernit the saidis buttownis to remane in my Lord Regentis handis, reservand to the said Maister Thomas quhatsumevir action he hes or can haif aganis the said Sir Williame for his releif and warrandice of the saidis buttownis, or valour of the samyn, or for refounding to him of the saidis fyve hundrith merkis, or utherwayis quhatsumevir, as he can libell befoir the said Lord Regentis Grace and Lordis of Secreit Counsale, or befoir the Lordis of the Sessioun, or utheris jugeis competent quhatsumevir.

Mr. Thomas M'Calyeane.

Charge on the Shereff of Teviotdaill.

Anent the charge gevin be vertew of oure Soverane Lordis letters to Williame Dowglas of Cavers Shereff of Teviotdaill, Robert Ellott of Reidheuch and Gawin Ellott broder to Williame Ellott of Horsliehill, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to have answerit to sic thingis as sould have bene inquirit of thame at thair cuming, under the pane of rebellioun and putting of thame to the horne; and gif thay failyeit thairin, to denunce, etc., and to escheit, etc., lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit and the saidis personis comperand personalie, it wes inquirit at the said Robert Ellott be quhat rycht and titill he occupiit the twenty mark land of Langsyde, liand within the barony of Caveris and sherefdome of Roxburgh, pertening to the said Shereff, and be him allegeit to be occupiit be the said Robert without ony rycht or titill; answerit that he, his fader and guidsire wes in possessioun of the saidis landis thir mony yeris bigane, be occupying and laubouring of the samyn, and payment making of the males and dewiteis thairof to the said Sheref and his predecessouris; and thairfoir aucht not to be removit thairfra bot be lauchfull warning, ordour of law and justice, conforme to the Act of Parliament, lawis and practik of this realme; lyke as the said Sheref being requirit, gif he ressavit fra the said Robert the males and dewiteis of the landis foirsaidis in ony tyme begane, declarit and grantit he had ressavit the gerse maill of the samyn fra the said Robert for the yeir of God j^{m}v^{c}lxxii

yeris last bipast. And attour being inquirit at the said Gawin Ellott be quhat rycht and titill he occupiit the fyve markland of Kaveling liand within the barony and sherefdome foirsaid pertening alsua to the said Shereff, and be him in lyke maner allegeit to be violentlie occupiit be the said Gawin without ony rycht or titill: It wes answerit and allegeit that he is and wes in possessioun of the saidis landis havand rycht and titill thairto, and aucht not to be removit thairfra bot be lauchfull warning, conforme to the said act and lawis of this realme; quhilkis, with diverse utheris thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsall, and thay ryplie avisit thairwith; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said Sheref to use warning upoun the saidis Robert and Gawin, and utherwayis to persew thame be ordour of law and justice befoir the Lordis of Sessioun or utheris thair jugeis ordinar for removing of thame fra the saidis landis, conforme to the said Act of Parliament, lawis and practik of this realme.

Apud Haliruidhous, xi die mensis Julii, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—Domini ut in die predicto.

Declaratioun anent revewing of Processe.

The quhilk day it wes declarit to my Lord Regentis Grace and Lordis of Prevy Counsall be the President and certane utheris Lordis of the Sessioun and College of Justice present with him, how Sir James Balfour of Pettindreycht knight desyrit the decreit gevin be thame aganis him at the instance of James Stewart sone to umquhile Johnne Erll of Buchane, to be revewit according to the Act of Pacificatioun, requiring his Graces avyse with the Prevy Counsall quhidder the Lordis of Counsall and Sessioun sould grant the revewing of ony decreittis or processis in that or the lyke caissis, quhair the partiis defendaris comperit be thame selffis or thair procuratouris and maid defence in the caus. Quhilk mater being deliberatlie avysit upoun, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, findis, and in presence of the said Lord President and utheris Lordis of Counsall and Sessioun declaris, that na personis desyring the process or decreit led or gevin aganis thame to be revewit, conforme to the said Act of Pacificatioun, sall or aucht to have that desire grantit quhill the partie swa desyrand hes comperit be thame selffis or thair procuratouris befoir the jugeis the tyme of the leding of the process or geving of the decreittis aganis thame.

Williame Wilsoun in the Birnis and utheris.

Young Laird of Denypace.

The quhilk day, anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Williame Wilsoun hynd in the Birnis, Allane Nory hynd in Scottistoun, Robert Drummond in Grenkfute, George Duncane in Steillandheid, Johnne Broun in Philpstoun, Alexander Mowbray in Westir Scottistoun, Williame Hadwe in Padinvene, Thomas Davidsoun in Manerstoun, Johnne Nobill in Blaknes and Robert Bryise in Hathornsyke, upoun Johnne Levingstoun youngar of Denypace, makand mentioun;—that quhair thay being reft and spuilyeit upoun the tent day

of Junii last bipast be the said Johnne Levingstoun and his cumpany, of diverse thair cattell and gudis, thay menit thame to my Lord Regentis Grace thairupoun, and obtenit command to the said Johnne, to rander and restoir the samyn to the saidis complenaris,—quha semand to obey hes deliverit ane part agane to thame,—and nevirtheles detenis and will not deliver as yit xxii scheip twa stirkis and ane forrow ky of sex yeir auld without forder compulsioun, as at mair lenth is contenit in the said complaint; quhairunto the said Johnne being warnit to gif answer and comperand personalie, his ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsall, and thay ryplie avisit thairwith; my Lord Regentis Grace, with avise of the saidis Lordis, findis that thair restis yit undeliverit agane be the said Johnne to the saidis complenaris of the gudis spuilyeit and reft fra thame in maner foirsaid, nyne yowis, sevin yeld scheip, twa stirkis and ane kow; and thairfoir decernis and ordanis the said Johnne Levingstoun to restoir and deliver thame agane to the saidis complenaris, and thair possessioun, ground, and place, thay wer takin fra, als gude as thay wer the tyme of the awaytaking of the samyn; or the avale and prices of thame, that is to say,—pryce of the pece of the saidis yowis and scheip owerheid xx ß., pryce of the pece of the saidis stirkis ourheid xl ß., pryce of the said kow xl ß.,—money of this realme; and assoilyeis the said Johnne fra the rest of the gudis contenit in the said complaint; and ordanis letters to be direct heirupoun gif neid be.

Apud Haliruidhous, xii Julii, anno, etc. lxxiii°.

Anent fals Cunyc.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsall, understanding the greit dampnage sustenit be the commoun weill throw the inbringing within this realme of fals and corrupt money, countirfaitit in the partis of Flanderis and utheris beyond sey, quhilk is the mair bauldlie attemptit becaus of the negligent sercheing of the schippis and veschellis returning in this realme furth of foreyn cuntreis. For remeid quhairof in tyme cuming, ordanis letters to be direct to command and charge all and sindry—the maisteris skipparis, marchandis and marinaris, and utheris arryvand in quhatsumevir partis, havynnis, raidis or utheris partis of this realme frome Flanderis or utheris partis beyond sey,—that nane of thame tak upoun hand to brek bowk, or losse ony maner of gudis or kistis quhilkis sal happin to be brocht hame be thame in the saidis schippis or utheris veschellis, unto the tyme the same be sene sercheit and visiit be the ordinar sercheour of that toun, accumpaneit with the Provest or ane of the Baillies thairof,—or quhair na propir sercheour is, be the ordinar Magistrattis quhatsumevir,—under the pane of confiscatioun of the schip with the gudis of all sic personis as sall do in the contrair, to oure Soverane Lordis use; and that his Majesteis comptrollar gif attendance that this Act and ordinance be diligentlie observit, and the contravenaris puneist, as he will answer to oure Soverane Lord upoun his diligence.

Command to the Comptrollar.

Item, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis the Comptrollar and his Clerk to draw a roll of all fewis set of our Soverane Lordis propirtie in hurt and diminutioun of his Hienes rentall, and of all personis gevin furth of his said propirtie, and be avise of his Majesteis advocat to call for reductioun thairof, as alsua for reductioun of all takkis set of our Soverane Lordis custumes, quhilkis his Grace and Counsall understandis to be in greit hurt of our said Soverane Lord and aganis the lawis of this realme.

Item, my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, ordanis and commandis the Comptrollar and his said Clerk, to inquire for the rentall of the tenandriis of the Erledome of Boithuile, unconfirmit; and to caus intromet with the males, fermis, proffeittis, and dewiteis thairof, and inbring the samyn to oure Soverane Lordis use as his propirtie.

Item, my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, ordanis the Comptrollar to get knawlege quhat quantitie of victuall hes bene transportit furth of this realme this present yeir to the partis beyond sey, at quhat partis and be quhome besyde uther diligence to be done thairanent.

Apud Haliruidhous, xiii die mensis Julii, anno, etc. lxxiii°.

Proclamatioun anent the Thevis.

Forsamekill as our Soverane Lordis liegis, alsweill to burgh as to land, within regalitie as ryaltie, betuix lx and xvi yeris, and utheris fensabill personis within the boundis of the sherefdomes of Edinburgh Principall and within the constabularie of Hadingtoun, Berwik, Roxburgh, Selkirk, Peblis, Lanark, Drumfreis, Wigtoun, Air, Renfrew, Dunbartane, Striveling, Linlythquow,—wer chargeit to convene and meit my Lord Regentis Grace at Peblis the xx day of Julii instant with xx dayis victuallis and provisioun; and swa to pas furthwart for persute and invasioun of the thevis and disorderit people, inhabitantis of the Bordouris, and reduceing of thame to oure Soverane Lordis obedience, as in the proclamationis direct thairupoun mair largelie is contenit. And now my Lord Regentis Grace being presentlie ernistlie occupiit in certane greit and wechtie effaris of the state, and finding eftir avyse and consultatioun takin that the tyme heireftir salbe mair convenient for that purpois nor presentlie—the sessioun of the yeir considerit, hes thairfoir concludit to continew the conventioun of his Hienes forces to the effect abonewrittin quhill the xx day of August nix to cum; and thairfoir ordanis letters to be direct, to charge all and sindry his Hienes liegis within the boundis abonespecifiit, that thay and ilkane of thame, weill bodin in feir of weir, and providit according to the formar proclamatioun, convene and meit my Lord Regentis Grace at Peblis the said xx day of August nix to cum, with xx dayis victuallis and provisioun, and with palyeonis and cariage to ly on the feildis, and swa to pas furthwart and serve as thay salbe commandit to the effect abonespecifiit, under the pane of tinsell of lyff, landis and gudis.

Apud Haliruidhous, xiv Julii, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.	Adam Episcopus Orchadensis.
Archibaldus Comes Ergadie.	Robertus Commendatarius de Dunfermling, Secretarius.
Willelmus Dominus Ruthven.	Clericus Registri.
Robertus Dominus Boyd.	Clericus Justiciarie.
Robertus Dominus Sympill.	

Archibald Aitkin. Garden.

Anent oure Soverane Lordis letters rasit at the instance of Archibald Aitkin indwellar of Alloway aganis Alexander Forester of Garden, makand mentioun.—That quhair the said Archibald coft threttene chalderis aucht bollis meillis in Meirnis, and schippit the samyn in ane boit of Portincraig, quhairof James Tailyeour wes maister, intending to have transportit the samyn meill to Alloway or the burgh of Striveling for furnessing of oure Soverane Lordis liegis; in quhilk boit wer schippit alsua xl bollis meill or thairby to the behuif of the said Alexander Forester of Garden, with quhilk meill the said boit come in the watter of Forth; and hering of the troubill at the Castell of Blaknes, past in within the havin of Brint Iland about the viii day of Junii or thairby, the yeir of God j^{m}v^{c}lxxii yeris, and thair remanit the space of ten dayis or thairby, thinkand that umquhile Johnne Erll of Mar Lord Erskin Regent to our Soverane Lord his realme and liegis for the tyme, and Lordis of Prevy Counsall, wald tak ordour how boittis sould sauflie pas up the watter to the burgh of Striveling. And in the menetyme the said Archibald being absent at the toun of Leyth, the said Laird of Garden send Duncane Galbrayth his servand to the said James Tailyeour, willing him to bring the boit with the victuale up the watter, quhilk he refusit to do; and thaireftir within thre dayis, the said Archibald remaning still at Leith, the said Laird send the said Duncane, with Johnne Barclay, his servand alsua, to Brint Iland to the said James Tailyeour, desyring him as afoir to bring the said boit up the watter, and send his promeise in writt to sauf the samyn fra the ennemeis in the said Castell of Blaknes, saying that he had thair assurance; and on the morne thaireftir the said complenar cumand to Brint Iland, the said James Tailyeour boitman, and the said Lairdis twa servandis, schew the said complenar the mane with a promeise of warrandice of the boit to pas sauflie up the watter, as the letters thairupoun subscrivit be the said Lairdis hand expreslie proportit. Nevirtheles the said complenar dissassentit that the said boit sould lowise furth of the havin of Brint Iland, quhill he first past to the said Laird at his hous of Torwod and thair spak him self; at quhilk tyme he assurit the complenar that he mycht surelie pas without impediment; and said he wald warrand him of the said Castell of Blaknes,—quhairupoun at last the complenar wes contentit that his said victuale sould pas up the watter; and than the said Laird causit David Nicoll his servand wryte a letter quhilk him self subscrivit, direct to Johnne Barclay his servand and to the boitmen, willing thame to bring

away the boitt, and nane to cum in hir bot the boitmen and the said Johnne Barclay, as thay did. Nevirtheles the boit landit at the said Castell of Blaknes, quhair the said complenaris victuale abonewrittin wes immediatlie intromettit with be the ennemeis for the tyme within the said Castell and disponit as a pray, and the said Lairdis meill randerit and deliverit to him and his servandis in his name; quhairthrow he hes allutirlie heriit the said complenar be his defalt and under his promeise and assurance; and of equitie, conscience and justice he aucht to be decernit to warrand to the said complenar his said victuale, and refound, content, and pay to him the pryces thairof. And anent the charge gevin to the said Alexander to have comperiit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to answer to the said complaint, —lyke as at mair lenth is contenit in the saidis letters direct thairupoun. Quhilkis being callit upoun the viii day of Februare last bipast, the said Archibald Aitkin being personalie present; as alsua the said Alexander Forester of Garden comperand personalie with Maister Alexander Sym prelocutor; the said Alexander accepting the jugement and tryell of my Lord Regentis Grace and Lordis foirsaidis in this cause, the heidis of the foirsaid complaynt wes admittit to the said Archibaldis probatioun, and certane termis assignit to him for preving thairof, as in the actis, letters and proces maid and deducit thairupoun at mair lenth is contenit. The said Archibald Aitkin comperand personalie, and the said Alexander Forester of Garden—being lauchfullie warnit to this day to heir sentence gevin and pronounceit in the said mater, oftymes callit and not comperand; the rychtis, ressonis and allegationis of bayth the saidis partiis being at lenth hard, sene, considerit and understand be my Lord Regentis Grace and Lordis foirsaidis, and thay ryplie avisit thairwith, togidder with the depositionis of diverse famous witnessis, sworne, ressavit, admittit and examinat in the said mater,—decernis and ordanis the said Alexander Forrester of Garden, to warrand to the said Archibald Aitkin the foirsaidis threttene chalderis viii bollis meill specifiit in his complaint foirsaid; and to refound, content and pay to him the pryces thairof; becaus the samyn complaint and heidis thairof being admittit to the said Archibaldis probatioun and diverse termis assignit to him for preving thairof, he previt the samyn sufficientlie, lyke as wes cleirlie understand to my Lord Regentis Grace and Lordis foirsaidis; and ordanis letters to be direct, etc.

Apud Haliruidhous, xvi Julii, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—Domini ut in die predicto.

Kingis Advocat. Anent oure Soverane Lordis letters rasit at the instance of his Majesteis weilbelovit clerk and counsalour Maister Robert Creichtoun of Eliok our Advocat, and our lovit William Drummond sone to Sir Robert Drummond of Carnok knycht, for his interes, makand mentioun.—That quhair our Soverane Lord, with avise and consent of umquhile Mathow Erll of Lennox Lord Dernlie, dearest guidsire tutour and Regent to his Majestie, his realme

and liegis for the tyme, of gude memory, upoun the xxvi of August the yeir of God j^{m}v^{c}lxxi yeris, be letters of presentatioun under the Prevy Seill, presentit the said Williame Drummond to the Channonry of the Chapelryell of Striveling, callit the parsonage and vicarage of Alloway, than vacand be deceis of the last possessour of the same, direct to the Superintendent or Commissionar of the Kirkis within the boundis of Alloway; quhilk presentatioun upoun the xxiii day of Januare the yeir of God foirsaid, the said Williame being than actualie at the scolis in oure Universitie of Sanctandrois,—fra quhilkis he could not convenientlie at that tyme abstract himself, in respect of the bitter seasoun of the yeir, to travell, and of the uncertanety quhair to find the Commissionar or Superintendent foirsaidis, quhidder in thair progres of visitatioun of the kirkis within thair commissioun or at hame,—he causit Patrik Drummond his eldest brother, in his name present the saidis letters of presentatioun, to Maister David Lindesay Commissionar of the Kirkis quhair the said Chaiplanerie lyis, according to the directioun of the said presentatioun, requiring him to ressave and admit the said Williame to the said Channonry for his sustentatioun at the scolis quhill he wer of the aige of xxvi yeris, and farder during all the dayis of his lyff, upoun conditioun gif he wer than fund qualifiit to do the office of ane minister within the kirk of God, as the said letter of presentatioun at mair lenth beris; quhilk the said Maister David on na wayis will obey, bot maid differrit answeris, sayand that he could not admit without the said Williamis awin presence,—howbeit the same wes na wayis necessar, becaus it is not requirit in the said presentatioun, nor the same specifiis na trying nor examinatioun of him, bot allanerlie to admit and resseave him to the said Channonrie, for the effect and upoun conditioun foirsaid; and to caus him be enterit in the reall possession thairof;—and heireftir as the said Advocat is informit, the said Mr. David, on his pretendit maner, as the said Channonrie had fallin and becum in his handis, be quhat rycht unknawin, gaif and disponit the same to ane James Dalrumpill, oure Soverane Lord being of les aige; and the said Maister David knawing perfytelie the said Channonrie to be of his Majesteis patronage, and that his Hienes had presentit the said Williame thairto; and howbeit the said Williame, upoun the xxvi day of Junii last bipast, to tak all occasioun fra the said Mr. David quhy he sould refuse to admit him, in propir persoun past to his presens with the saidis letters of presentatioun, and presentit the same of new unto him, requiring him to admit the said Williame in maner and upoun conditioun abonewrittin, according to the said presentatioun: nevirtheles he planelie refusit sa to do, sayand that his pretendit gift and donatioun of the said Channonrie standis yit unreducit, quhairupoun attentik instrumentis wer takin;—tending be the same his presumptuous and hardy dealing in mantening and defending of his said pretendit gift, and still continewing and not revoking his errour, to draw on greit inconvenient, and cheiflie not onelie to the greit prejudice of oure Soverane Lordis patronage and authoritie royall, bot to the defrauding of the said Williame Drummond, quhome his Majestie hes presentit as said is, and to the evill

Mr. David Lindesay.

exempill of utheris, presumptuous personis, to commit and pretend the lyke gif this be not spedelie orderit. And anent the charge gevin to the said Maister David Lindesay gevar of the said pretendit gift, and dispositioun maid be him of the said Channonrie, and the said James Dalrumpill pretendit donatour thairto, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand and produceand with thame the said pretendit gift and dispositioun, to be sene and considerit be my Lord Regentis Grace and Counsall; and to heir and se the same to have bene gevin and grantit to oure Soverane Lordis hurt and prejudice of his Hienes patronage, in the presumptuous usurpatioun of his Majesteis authoritie in that behalf; and the same effect thairof and all that hes followit thairupoun to be vane, null and of nane avale, force nor effect bot to ceis heirefter; and sa the saidis letters of presentatioun to have place, and observit and obeyit be the said Maister David, according to the directioun of the same; with certificatioun to thame and thay failyeit, my Lord Regentis Grace and Lordis foirsaids wald decerne in maner and to the effect abonewrittin, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Williame Drummond comperand personalie, and the saidis Maister David Lindesay and James Dalrumpill oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, findis the said pretendit gift and dispositioun maid be the said Maister David to the said James to have bene gevin and grantit to the hurt and prejudice of oure Soverane Lordis patronage; and thairfoir decernis the same, effect thairof and all that hes followit thairupoun, to be vane, null, of nane avale, force, nor effect, and to ceise heireftir; and the said Channonrie to be at oure Soverane Lordis presentatioun and dispositioun as of befoir.

Capitane Adamsonis Band.

The quhilk day, Capitane Johnne Adamsoun—having obtenit our Soverane Lordis licence to levey and tak up thre hundrith wageit men of weare, and to depart with thame to the Law Cuntreis of Flanderis and Zeland for serving in the defence of Goddis trew religioun, aganis the persequutouris thairof,—comperit in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, and actit and obleist him self as principall, and Johnne Adamsoun Baillie burges of Edinburgh, as cautionar and souirtie for the said Capitane Johnne, conjunctlie and severalie, that he sall nowther, directlie nor indirectlie lift nor transport ony capitanis memberis of bandis or suddartis that presentlie ar in our Soverane Lordis service, and utherwayis, without speciall licence of my Lord Regentis Grace. Item, that he sall caus his men he liftis leif upoun thair awin chargeis without ony maner of oppressioun to be done be thame quhill thay be transportit; and that he nor thai salbe na partakaris with ony subject of this realme of Scotland aganis ane uther. Item, that he nor nane to be liftit be him as said is in thair passing to the saidis cuntreis, sall not invade, troubill, pilye or tak geir fra ony the subjectis of this realme, nor na freindis or confiderattis thairof. Item, that he sall not convene nor hald his men

togidder within sextene mylis of the Castell of Striveling, nor yit inroll thame, display handsenyeis, nor tak musteris on the sowth syde of the watter of Forth. Item, that thay sall na wayis serve with papistis aganis the protestantis professouris of the Evangell of Jesus Chryst, under the pane of v^{m} markis; and to be answerabill for the full redres of all sic gudis as salbe spuilyeit fra the freindis and confiderattis of this realme, quhilkis justlie may be cravit of the King and realme of Scotland in the awaypassing of the saidis men of weare, or remaning under the said Capitane Johnnes charge, to the awnaris thairof. And the said Capitane obleist him, his airis and executouris, to releif the said Johnne Adamsoun, Baillie, his souertie, of the premissis, and of all pane and dangeare quhilk he sal happin to sustene thairthrow. Sic subscribitur: Johnne Adamsoun, Baillie. Johnne Adamsoun, Capitane.

Capitane Pentlandis Band.

The quhilk day, Capitane Diones Pentland, having alsua obtenit licence for taking up and departing with thre hundrith wageit men of weare to the Law Cuntreis of Flanderis, comperit in presens of my Lord Regentis Grace and Lordis of Secreit Counsall, and actit and obleist him self as principall, and James Sandelandis of Calder as cautionar and souirtie for him, conjunctlie and severalie, for observatioun of siclyke heidis articles and conditionis as is mentionat in the formar Act, in all poyntis and under the panis mentionat in the same, etc. And the said Capitane obleist him to releif his said souirtie of the premissis, etc. Sic subscribitur: James Sandilandis. Diones Pentland, with my hand at the pen led be the notar underwrittin at my command. Ita est, Patricius Feildar notarius publicus de mandato dicti Dionisii scribere nescientis.

Apud Striveling, xxi die mensis Julii, anno, etc. lxxiii°.

James Hammiltoun of Kincavill.

Philp Quhitheid.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsall, understanding a pley to be dependand befoir the Lordis of Counsall and Sessioun betuix James Hammiltoun of Kincavill and Johnne Levingstoun of Prestoun, anent the heretabill rycht of the office of Sherefschip of Linlythquow, and that a commissioun is laitlie past, makand Philp Quhitheid shereff of Linlythquow during the dependance of the pley; as alsua letters ar past be deliverance of the Lordis of Sessioun, chargeing the said James, his deputtis, officiaris and clerkis, to desist and ceise fra all setting and halding of courtis, proclaming or ryding of fairis or using utherwayis of the said office of Sherefschip ony maner of way; and fra all molesting and troubling of the said Johnne Levingstoun, his deputtis, clerkis and officiaris in his name, in using and exerceing of the said office; be quhilkis commissioun and letters the saidis partiis findis thame selffis prejugeit. And my Lord Regentis Grace finding the mater rather to breid contentioun and unquietnes in the cuntre; for remeid thairof, ordanis ane herald, maser, messinger or ony uther officiar of armes, to pas, command and charge the said James Hammiltoun and Philp Quhitheid

on the ane part, and the said Johnne Levingstoun on the uther part, to compeir befoir his Grace and Lordis of Secreit Counsall the thrid day of August nix to cum, bringand and produceand the said commissioun, togidder with the letters and summondis dependand befoir the Lordis of Counsall, to be sene and considerit, to the effect that ordour may be takin anent the using of the said Sherefschip during the dependance of the pley as accordis of justice and ressoun, and for keping of gude ordour in the cuntre; and in the menetyme dischargeis bayth the saidis partiis of all halding or proclaming of the Fair of Linlythquow, or utherwayis using of the said office of Sherefschip, commanding the Provest and Baillies of Linlythquow to proclame and hald the samyn fair now approcheand, and makand thame Shereffis of the said Sherefdome in that part to that effect, and ordanis letters to be direct, etc.

Ordour for the jugeis appointit for the attemptattis aganis the abstinence.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsall, understanding how Johnne Erll of Montrois Lord Grahame, Johnne Lord Glammis, Robert Lord Boyd, Robert Commendatare of the Abbay of Dunfermling, and Sir Johnne Wischert of Pittarro knycht,—being jugeis appointit for tryell and decisioun of the attemptattis committit aganis the abstinence according to the Pacificatioun maid at the burgh of Perth upoun the xxiii day of Februare last bipast, and ratifiit and apprevit in Parliament,—acceptit upoun thame the jugement and decisioun of the saidis attemptattis, and maid fayth in presens of my Lord Regentis Grace and Lordis of Secreit Counsall for administratioun of justice thairintill as accordit; as ane Act maid in the bukis of Secreit Counsall thairupoun, of the dait the [30th] day of Aprile last bipast, at mair lenth proportis.[1] Nevirtheles the same hes tane na effect, proces nor executioun, becaus nowther the forme of jugement and proceding nor ony clerk has bene appointit and maid to that effect. And my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, willing to remove all defaultis and occasionis of stay of proces in this behalf, hes thocht gude and determinat presentlie to authorise the saidis jugeis, with sufficient commissioun, to ordane and declair the forme of proceding, and to elect and cheise a clerk to thame, quhairthrow all partiis grevit and havand interes quhairunto the attemptattis aganis the said abstinence concernis or extendis, may haif recours to have proces and justice thairanent, with all convenient expeditioun. And thairfoir in oure Soverane Lordis name, and be vertew of his authoritie, with avise and consent foirsaid, hes gevin, grantit and committit, and be the tennour of this present Act, gevis, grantis and committis, full power command and authoritie to the saidis Jugeis appointit be the said Pacificatioun, Act of Parliament, and avise and consent of the said Erll of Huntlie following thairupoun; to call befoir thame or ony thre of thame conjunctlie, the personis quhatsumevir dwelland on the north syde of the said watter of Tay, delaitit or to be delaitit as culpabill of ony attemptattis committit aganis the said abstinence, as it sall pleis the partiis complenaris to libell; and thairupoun to proceid and minister justice, swa

[1] See p. 224.

that thay may be restorit, redressit and reparit of thair skaythis according to the effect and meaning of the saidis articles of Pacificatioun at quhatsumevir day or dayis or tyme of day that the saidis jugeis, or ony thre of thame conjunctlie, sall think expedient, without ony fensing of Court, or uther unnecessary delayis or circumstances; and that the lyke executioun salbe grantit and pas upoun the decreittis to be gevin be thame as is accustumat to be gevin and grantit upoun the decreittis of the Lordis of Counsall and Sessioun; makand, namand, constitutand and ordinand be the tennour heirof James Myllar, ane of the clerkis of oure Soverane Lordis Signet, ordinar clerk and scrybe to all actionis, caussis and processis that salbe intentit and persewit befoir the saidis jugeis; and that all partiis complenand resort to the said James for thair preceptis, as it sall pleis thame to intent and libell, decernand and declarand the same preceptis onelie subscrivit be the said James, clerk foirsaid, to be alyke valiabill in all respectis, as gif the same wer subscrivit be the saidis Jugeis, or ony thre of thame. Quhilkis all being personalie present, of new acceptit upoun thame the jugement and decisioun of the saidis attemptattis, and maid fayth in presence of my Lord Regentis Grace and Lordis of Secreit Counsall for administratioun of justice thairintill; lyke as alsua the said James Myllar, clerk foirsaid, acceptit upoun him the said office of clerkschip, and maid fayth alsua for dew and lauchfull administratioun and using of the samyn as accordis; and with power to the said James to substitute and depute under him clerkis and scrybis, ane or ma, to the effect foirsaid, sic as the saidis Jugeis, or ony thre of thame, salbe contentit with. Quhilkis jugeis sall ressave the aythis of the saidis substitutis for trew administratioun in thair offices, as use is.

Apud Haliruidhous, primo Augusti, anno, etc. lxxiii°.

Sederunt—

Jacobus Dominus Regens.
Robertus Comes de Buchane.
Willelmus Dominus Ruthven.
Adam Episcopus Orchadensis.
Robertus Commendatarius de Dunfermling.
Marcus Commendatarius de Newbottill.

Proclamatioun that nane resset the Thevis nor thair gudis.

Forsamekill as the oist and army proclamit to have convenit at Peblis the xx day of Julii last bipast wes for gude respectis continewit to the xx day of August instant, quhilk now approcheis; quhilk dyett my Lord Regentis Grace intendis, God willing, to keip with a force and power of oure Soverane Lordis gude subjectis. And becaus it is understand that in tyme of lyke persute maid heirtofoir aganis the thevis, thair cattell and gudis wer ressett and tane in keping amangis certane thair prevy freindis and favouraris in the inver partis of the realme, to the contrair quhairof proclamationis wer laitlie set out and execute, quhilkis my Lord Regentis Grace, with avise of the Counsale, hes thocht meit salbe renewit, that all pretens of excuse salbe removed fra the saidis resettaris; and thairfoir ordanis letters to be

direct, chargeing all and sindry oure Soverane Lordis liegis yit as of befoir, be oppin proclamatioun at the marcat croces of Dunse, Lawder, Jedburgh, Selkirk, Peblis, Lanark and Drumfreis, that nane of thame tak upoun hand to ressett, supple, or intercommoun, with ony of the saidis thevis, or gif thame meit, drink, hous or herbry; nor yit ressave ony of thair gudis and cattell in keping, or under cullour of bying or uther cullour quhatsumevir, in defraude of the persute and punisement intendit aganis thame,—under the pane of deid and confiscatioun of all thair gudis movabill, and to be repute and haldin participant with the saidis thevis and brokin men in all thair thiftuous and evill deidis; certifeing all oure Soverane Lordis liegis that will reveill or mak knawin the ressettaris of the saidis thevis, thair cattell and gudis, and will schaw the meanis how the same may be verifiit, quhairthrow owther the gudis may be apprehendit, or the ressettaris convict be ane assyise,—the revelar salhaif the thrid of the saidis gudis or the avale thairof at thair awin choise and optioun: certifeing alsua all concelaris of the ressett of the saidis thevis and gudis, that thay salbe haldin alyke culpabill of the same ressett as gif thay had committit the same thame selffis.

Apud Haliruidhous, quarto Augusti, anno lxxiii°.

Sederunt—

Jacobus Dominus Regens.	Hugo Dominus Somervile.
Hugo Comes de Eglintoun.	Joannes Dominus Hereis.
Joannes Comes de Montroise.	Joannes Dominus Maxwell.
Willelmus Dominus Ruthven.	Episcopus Orchadensis.
Robertus Dominus Boyd.	Dunfermling.
Patricius Dominus Lindesay.	Newbottill.

Thomas Huntar. Adam Fullarton.

The quhilk day, anent the complaint maid be Thomas Huntar burges of the Cannogait, upoun Adam Fullartoun burges of Edinburgh, for the stopping and dischargeing of Williame Gairden, skippar, to ressave certane skynnis in his schip to be transportit to the partis beyond sey, as at mair lenth is contenit in the complaint maid thairupoun. The said Adam Fullartoun being warnit to answer thairto, and being personalie present, grantit the dischargeing of the said skippar, and that be vertew of his office of Sercheorie, quhilk he allegeit to have of the Provest, Baillies, and Counsall of Edinburgh; and thairfoir quhill thay wer warnit for thair entres siclyke, allegit he aucht not to answer to the said complaint, in respect he did na thing bot be thair commandiment and as thair officiar and servand. Quhilk allegeance being repellit be my Lord Regentis Grace and Counsall, comperit Patrik Lord Lindesay of the Byris, Provest, Maister Michaell Cheisholme and Mungo Russall, Baillies, of the said Burgh of Edinburgh, and protestit that the samyn sould na wayis prejuge the privilegis of the said Burgh: quhilk protestatioun my Lord Regentis Grace, with avise of the saidis Lordis, admittit.

Apud Haliruidhous, decimo Augusti, anno, etc. lxxiii°.

Act in favouris of the Ministeris.

Forsamekill as eftir it wes the plesour of Almichtie God to blisse this realme and natioun with the trew knawlege of his evangell, the ministeris and preacheouris thairof remanit lang tyme unprovidit of ony certane forme of leving or stipendis, quhill the Quene, moder to oure Soverane Lord, being cum hame frome France, it wes concludit decernit and determit, that gif the ferd part of the frutis of the haill benefices ecclesiasticall within this realme mycht be sufficient to sustene the ministeris throuchout the haill realme, and support the Prince to interteny and set furthwart the commoun effairis of the cuntre—failyeing thairof the thrid part of the saidis frutis—and mair, quhill it wer fund sufficient to the effect foirsaid,—to be takin up yeirlie in tyme cuming. And thaireftir, in the Parliament haldin in the first yeir of the regnne of oure Soverane Lord that now is, it being considerit that the ministeris had bene lang defraudit of thair stipendis; and nochtwithstanding had continewit in thair vocatioun without payment be a greit space; thairfoir it wes statute and ordanit that the haill thridis of the hail benefices of this realme sould than instantlie and in all tyme to cum thaireftir, first be payit to the ministeris of the evangell and thair successouris; providing alwayis that the collectouris of the saidis ministeris sould mak yeirlie compt in the Chekker of thair intromissioun, swa that the ministeris being first answerit of thair stipendis appertening to every ane of thame, the rest and superplus sould be applyit to oure Soverane Lordis use. And now my Lord Regentis Grace and Lordis of Secreit Counsale, with certane commissionaris of the Kirk, having gravelie considerit of the corruptionis and abusis enterit in the ordour of the collectorie of the saidis thridis, and cheiflie how the bipast payment of the ministeris hes consistit in the pleasour of the collectouris, the ministerie commounlie wanting payment of thair stipendis in the places quhair the thridis wer best payit,—respecting thairwithall the sindry sutes maid be the ministeris of the Kirk in diverse thair assembleis, to haif certane assignationis maid unto thame of thair levingis and stipendis in the places maist ewest and commodious to thair residence, quhairin heirtofoir thay have bene sa greitlie frustrat and disappointit; and finding the conformabill aggrement and consent of the Kirk that the qualifiit and leirnit ministeris and preacheouris of the evangell sould be plantit and distributit throuchout the haill realme, to the end that, as the lieges thairof is subject to the payment of sum ecclesiasticall rentis, sa all may ressave sum frute and commoditie be the preaching and dispensatioun of the evangell amangis thame. For the furtherance of this sa gude and necessary a purpois, the names and nowmer of the parroche kirkis hes bene collectit, and the present nowmer of ministeris and preacheouris distributit throuchout the realme, quhill it salbe Goddis pleasour to raise up ma godlie and learnit personis, willing and zealous to entir in that functioun, as it is alwayis the meaning and intentioun of his Grace, that quhen God rasis up ma qualifiit personis, thay salbe plantit be the Archebischoppis, Bischoppis, Superintendentis, and

Commissionaris of all diocyis and cuntreis in the places that salbe fund convenient for thame; and competent and sufficient levingis and stipendis, salbe modifiit appointit and assignit to thame, be the Archebischop, Bischop, Superintendent, or Commissionar of every Diocie or Province, ilkane within thair awin charge, and sic of the Kingis Counsale as salbe direct to accord with thame thairupoun; and quhatevir salbe assignit in the saidis stipendis the Collectour Generall of the superplus sall allutirlie desist fra further craving intromissioun or uptaking of the same of ony termis eftir the said assignatioun; bot the personis to quhome the same sal happin to be assignit sal haif letters be deliverance of the Lordis of Counsall and Sessioun, to be reddelie answerit and obeyit thairof in tyme thaireftir. And upoun the said distributioun and planting of the present Ministeris and Reidaris, thair stipendis and ordinar levingis ar appointit, and certane assignationis maid and to be maid for payment of the same, out of the rentis of the thridis of benefices, be benefices newlie provydit unto thame, or sufficientlie utherwayis; begynnand the first payment of the present frutis and crop of the yeir of God j^{m}v^{c} thre scoir threttene yeris instant, as in the bukis contenand the particular declaratioun thairof mair largelie is expressit. Quhairfoir, and to the effect that perfyte and certane executioun may pas upoun the saidis assignationis, it is declarit and ordanit, that quhair neid is, the assumptionis of the thridis of all the prelaciis and utheris greit and small benefices, salbe alterit, and the assignatioun of the Ministeris and Reidaris stipendis salbe takin of the first and reddiest dewiteis of the kirkis and parrochynnis quhair thay serve; or utherwayis quhair the same may be had maist commodiouslie out of the handis of the takkismen or sic parrochynnaris as thay sall cheis; and the remanent of the assumptioun of the thrid of the same benefice out of the partis and rowmes quhair the same wes of befoir assumit; or utherwayis quhair it may maist commodiouslie be had. Quhilkis assignationis salbe registrat be the clerk of the Generall Assembly and kepar of the register of the ministeris stipendis in his buke; and upoun the same assignationis auttentiklie subscrivit be the said clerk, letters salbe direct be the Lordis of Counsall and Sessioun at the instance of every Minister and Reidar, to answer him of his said stipend and yeirlie leving, contenand onelie ane charge within ten dayis as had wount to be gevin at the instance of the procuratouris of the Kirk or collectouris of befoir, gif it be assignit out of thridis; or ellis letters of poinding—the assignatioun being on sowmes of money; at the chois of the Minister or Redar; and gif neid be, letters salbe grantit of arreistment and sequestratioun of the haill frutis and rentis of that parrochyn in the handis of the takkismen or parrochynnaris, to remane arreistit and sequestrat ay and quhill the possessour of the benefice mak the Minister or Reidar sure of thair appointit stipend be particular assignatioun, cautioun, or utherwayis as they can aggre. And gif the appointit leving be on new provydit benefice disponit sen the Kingis coronatioun, or to be providit in tyme cuming, letters in the four formes salbe grantit thairupoun as use is. And in caise ony thing now assignit

be afoir disponit, in pensioun portioun or utherwayis, quhairthrow the letters of the ministeris or reidar may be obtenit suspendit—or befoir the suspensioun gif thay get certane knawlege of this default—thay sal haif recours to crave payment and ane uther mair sure and speciall assignatioun out of sum uther part of that benefice, in the same parrochyn gif it may be had; and failyeing thairof in the maist commodious part nixt adjacent, be thair awin advise and optioun. In respect of quhilkis assignationis maid and to be maid in maner and forme as is befoir expressit, and of the gude executioun to pas heirupoun, the Ministerie of the Kirk having greit confidence of the gude will and favouris of my Lord Regentis Grace now present, hes allowit and glaidlie accordit, that a Collectour Generall be appointit be oure Soverane Lord to the ressait of the rest and superplus,—attour that quhilk is and salbe neidfull to the sustentatioun of the Ministerie,—to the use of oure Soverane Lord for supporting of the commoun and neidfull effairis of the realme, according to the meaning of the said Act of Parliament, and without prejudice of the privilege grantit thairin to the ministerie of the Kirk in ony point. Providing that in caise the Ministerie of the Kirk heireftir find thame selffis grevit, in wer caise nor of befoir, and the effect and substance of this Act not observit to thame; upoun thair supplicatioun to the King and estaittis in Parliament, or to his Hienes his Regent and Prevy Counsale, thay salbe reponit to quhatsumevir richt and privilege quhilk justlie thay may clame be the said Act of Parliament anent the nominatioun of collectouris with the Regentis advise. And forsamekill as sen the reformatioun of religioun in this realme, sindry commoun kirkis and landis, with the annuellis, landis, rentis and places quhilkis appertenit of befoir to the freris, of quhatsumevir ordour kynd or hew, ar set in few and takkis far within the just avale and rent quhilk thay wer worth and gaif befoir the said Reformatioun; or ellis frelie gevin and disponit in pensioun or utherwayis upoun the inoportune sute of sum personis without ony gude ground, rycht or consideratioun, na law or Act of Parliament evir passing quhairby the power of setting, fewing or dispositioun of the saidis commoun kirkis or landis wer declarit to appertene to the Prince; as alsua the possessouris of sum Prelaciis and utheris inferiour benefices hes ayther altogidder omittit and not gevin the rentalis of the same; or ellis hes gevin up wrang and untrew rentallis thairof far within the just avale, quhairthrow the ministerie of the kirkis belanging to the saidis benefices can not convenientlie be sustenit; and inlikewyis sum utheris, upoun colorat or na titillis, uptakis the rentis of certane benefices presentlie vacand, approprietand the same as temporall and prevat possessionis to thame selffis. For remeid of all quhilkis inconvenientis,—ordanis letters to be direct at the instance of the said, Generall Collectour, for answering and obeying to him of the haill frutis, rentis, and utheris dewiteis, of all the saidis prelaciis, utheris benefices, or pensionis vacand be deceis, or ipso facto for not acknawlegeing and professing of the trew religioun, conforme to the Act of Parliament or utherwyis; and of all benefices and pensionis omittit and not gevin up in

rentall, ay and quhill thay be lauchfullie providit or sufficientlie and trewlie rentallit; and in lyke maner, letters to arreist and sequestrat all and sindry the frutis, rentis, proffeittis, and dewiteis of the saidis benefices, wrang and untrewlie gevin up in rentall, to remane under arreistment, ay and quhill trew and perfyte rentallis of the samyn be presentit to the said Generall Collectour, and sufficient ordour takin and suretie maid for sustentatioun of the Ministerie of the kirkis pertening to the saidis benefices. And in lyke maner, ordanis letters to be direct, for answering and obeying of the said Generall Collectour of all the stipendis appointit to ministeris and stipendis in the places quhair qualifiit personis ar not yit plantit, ay and quhill thair be qualifiit ministeris and reidaris placeit and admittit to the same rowmes; and that letters be direct for publicatioun heirof at the marcat croces of the heid burrowis of this realme and all utheris places neidfull: dischargeing all utheris collectouris and intromettouris quhatsumevir maid or constitute be our Soverane Lord, or ony his Regentis, or the Quene his moder, in tyme bigane, and all thair substitutis and officiaris, of all intromissioun with the frutis, rentis, and annuellis, of the superplus abonespecifiit; with certificatioun that quhaevir makis payment to thame of ony part of the frutis, of the yeir of God j^{m} v^{c} thre scoir threttene yeris instant, or Witsonday and Martimes maillis thairof, thay salbe constranit to pay the same ower agane.

Apud Haliruidhous, xvii Augusti, anno Domini j^{m}v^{c}lxxiii^{o}.

Thir ar the injunctionis and articles gevin to all men that sal haif privilege to cary salt furth of this realme, nochtwithstanding the lait Act of Parliament maid in the contrair.

Anent the Salt. In the first, that it salbe na wayis lefull to transport or cary ony salt furth of this realme, quhill the haill subjectis and carearis to all marcattis be first answerit of sufficient stuff, and met the boll to be sauld at the pan for viii ß.

Secundlie, the rest of the salt mair nor sall satisfie the subjectis of this realme salbe privilegit to be careit furth of the samyn, nochtwithstanding the foirsaid Act; the awnaris and carearis thairof to uther realmis salbe obleist to by in the realme quhairunto the samyn salbe transportit, for every chalder contenit in thair cokquett, sex unces of silver, the quhilk silver salbe deliverit to the maister cunyeour for the time, in presence of the Generall, within aucht dayis eftir thair arryving in Scotland; and for every unce of the said silver the foirsaid awnar or his factour sall ressave fra the said maister cunyeour, according the rait of xxx ß. the unce of utter fyne silver, conforme to the ordinance presentlie gevin be oure Lord and his Hienes Regent in his name, towart the bying of silver in the cunyehous.

Thridlie, it is declarit and injonit to the saidis awnaris and carearis away furth of this realme of the said salt, that in caise thay sall not bring

within this realme the said silver according to the rait of thair careit salt, bot sall, in defraude of the Kingis proffeit, by fra the subjectis within this realme sic wecht of silver as sould be gevin in to the cunyehous; that than and in that caise the samyn being notourlie knawin, the foirsaid silver sa bocht within this realme salbe in the haill escheittit to the Kingis use and proffeitt; and als the saidis awnaris and carearis away of the said salt salbe haldin to pay sic sowmes as mycht have bene had of the proffeit of the said silver in caise the same had bene deliverit according to thair cokquett.

Fourtlie and last, that all custumaris and keparis of cokquet be allutirlie dischargeit to gif ony cokquett to the awnaris and carearis of the said salt untill thay cum to the cunyehous and find souirtie to the Generall thairof for the hamebringing of the said silver, according the rait of thair cckquet, quhair the said Generall salbe haldin to keip register and to gif in the samyn yeirlie befoir the Lordis of the Chekker, or befoir sic as salbe depute be my Lord Regentis Grace and Counsale, that the maister cunyeour may be chargeit in his comptis accordinglie.

Caution for the Pannis of Kirkcaldy.

The quhilk day, comperit Thomas Scott of Abbottishall, James Litiljohnne, James Melvile, Alexander Burrell, Johnne Lowdoun, Alexander Ronny,— awnaris of certane Pannis of Kirkcaldy, as cautionaris for the haill awnaris of xxiii pannis of Kirkcaldy havand commissioun of thame subscrivit with thair handis,—bindis and obleissis thame, that thay sall sell salt in tyme cuming to the subjectis and carearis of this realme, of sufficient met and stuff, for aucht schilling the boll; and sall na wayis schip, girnell, nor transport na sault furth of this realme quhill the subjectis of the same be first sufficientlie furneist; and the same being done, it salbe lauchfull to thame or thair factouris, nochtwithstanding the Act of Parliament, to transport and cary furth of this realme, the rest of salt that thay ar abill to mak at thair pleasour; providing alwayis that the transportaris and carearis thairof salbe haldin to bring hame sex unce of silver for every chalder contenit in thair cokquett, and deliver the same within viii dayis eftir thair arryvall to the maister cunyeour for the tyme, quha sall pay for every unce according de rato thretty schillingis; and als obleissis thame to stand and fulfill the injunctionis and articles quhilk wer aggreit be thame; quhilk gif thay faill in ony point, oblissis thame, for thame selffis, and for the rest of the awnaris absent, for the first sault fourty pundis, and for the nixt sault foure scoir pundis; and for the thrid the tinsall and confiscatioun of thair haill guidis: in witnes quhairof thai have subscrivit this present Act with thair handis. Sic subscribitur: James Malvill commissioner. James Litiljohne with my hand. Sanders Birrell with my hand. Alexander Rany with my hand. Johnne Lowden with my hand.

Cautioun for the Pannis of Dyesrt.

The quhilk day comperit George Christesoun, Johnne Grott, Archibald Malvile, Walter Scott, and James Law younger, awnaris of certane pannis of Dysert, as cautioners for the haill pannis, in nowmer sextene, havand com-

missioun of the rest of awnars of the salt pannis of Dysert [come under the same obligation as the owners of the salt pans of Kirkcaldy].

Cautioun for the Pannis of Westir Wemys.

The quhilk day comperit David Wemyss of that Ilk, maister and awnar of the pannis of Wester Wemis, contenand fyve in number [comes under the same obligation].

Apud Halyruidhous, xviii die mensis Augusti, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—

Jacobus Dominus Regens.
Robertus Comes de Buchane.
Gulielmus Dominus de Ruthven.
Robertus Dominus de Boyd.
Alanus Dominus de Cathcart.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Marcus Commendatarius de Newbottill.
Computorum Rotulator.
Clericus Justiciarie.

Bedroule and toun of Jedburgh.

Anent oure Soverane Lordis letters raisit at the instance of Johnne Rutherfurd younger of Hunthill, Sir Thomas Turnbull of Bedroull knycht, Williame Turnbull his sone and apperand air, Walter Turnbull alsua his sone, Williame Turnbull of Barnhillis, Walter Turnbull of Bewlie, Johnne Turnbull of Mynto, Johnne Rutherfurd of the Know in Nisbett, Charlis Rutherfurde of the Wallis in Nisbet, Philip and Johnne Rutherfurdis breder in Edgarstoun, Richard Rutherfurde Provest of Jedburgh, Williame Aillie thair, George Dowglas thair, David Anislie, Adame Anislie, Williame Rutherfurde, Walter Schotheid and James Scotheid; makand mentioun.—That quhair it is notourlie knawin how that Sir Thomas Ker sumtyme of Phairnyhirst knicht, with the assistence and fortificatioun of certane declarit tratouris, rebellious and inobedient subjectis to oure Soverane Lord and his authoritie, hes mony wayis preissit, and be all sorte and meanis done and intendit to do all that in thame lay, not only to the overthraw heirschip and distructioun of the saidis complenaris—specialie of the burgh of Jedburgh, haill burgessis and inhabitantis thairof; bot alsua of all utheris oure Soverane Lordis faithfull subjectis professing his Hienes authoritie, within the boundis of the sherefdome of Roxburgh; be fyre, swerd, and all kynde of creweltie. And for performing and setting furthwart of thair maist wickit interprisis, specialie in the moneth of Februar, the yeir of God j^{m}v^{c}lxxi yeris, drew and convoyit fra the burgh of Edinburgh—than treasonabillie detenit aganis oure Soverane Lord and his authoritie—ane cumpany of wageit men of weir, under charge of umquhile Alexander Trotter as thair capitane for the tyme, quhilkis jonit with the said Sir Thomas and his complices neir to the burgh of Jedburgh; and that the said Sir Thomas and umquhile Alexander, with ane part of thair cumpany and men of weir for the tyme, wer ressett in the place of Ancrum Wodheid pertening to Robert Ker, tending thair to have sum remaning and strenth quhill thai

Robert Ker of Ancrum.

micht have tyme to performe thair wickit interpryise and purpoise, quhilk in esperance thai wer liklie to have done gif tymous remeid had not bene maid for resisting and repressing thairof; and for the ressett and intertening of the saidis declarit tratouris and rebellious subjectis, the said Robert maid greit and sumptuous preparatiounis of victuallis, meit and drink in his said hous; and mett, accumpanyit, ressett and resistit thame to his uttermaist as is notourly knawin; and now it being allegeit be the said Robert Ker of Wodheid, that the saidis complenaris upoun the xxvii and xxviii dayis of Februar in the yeir foirsaid, with convocatioun of oure Soverane Lordis liegis, violentlie brak up the yettis and durris of his said place, and spuilyeit and awaytuik furth of the samyn—and houssis, girnellis, manse and barnyardis thairof—diverse and sindrie guidis, geir, insicht plenissing, jowellis, cornis and utheris being thairin,—hes libellit and rasit summondis aganis the saidis complenaris befoir the Lordis of our Soverane Lordis Counsall and Sessioun, and callit thame for allegeit spuilye, and to heir thame be decernit to restoir the saidis guidis geir cornis and utheris allegeit spuilyeit, or the avale and prices thairof, extending to greit quantiteis and sowmes of money, libellit in the saidis sowmes, as the copy thairof beris; tending to persew the samyn aganis the saidis complenaris, or lett the same ly ower quhill he pleise use persute; and thairby to putt thame to grit trouble and skaith. Howbeit in veritie all that wes done at the tyme abone specifiit, specialie towardis the takin of the place abone mentionat, entering thairin, or allegeit intromissioun with ony guidis or geir being within the samyn—not grantand the samyn or ony allegeit quantitie libellit in the saidis summondis—wes done in oure Soverane Lordis service for resisting and repressing of the wickit interpryse foirsaid; swa that thai nor nane of thame being his Hienes subjectis aucht to be callit nor persewit thairfore; nor incur ony skaith or danger thairthrow; specialie in respect it is providit and statute be Act of Parliament, that all thing done or assistit unto be oure Soverane Lordis faithfull subjectis professing his Hienes obedience aganis his Majesteis rebellious and inobedient subjectis, thair assistaris and partakaris, in repressing of thair wickit interpryssis, and for quietnes of the cuntrie at ony tyme sen his Majesteis coronatioun, and befoir thai obtenit remissionis thairfore—as alsua all intromissioun with ony thair levingis, guidis, geir, plenneissingis and utheris guidis being within thair houssis or upoun thair landis and rowmes, notwithstanding quhatsumevir assignatioun, title or interest that ony utheris personis micht acclame or pretend thairto,—hes bene, is, and in all tyme cuming salbe haldin and estemit as lauchfullie done, and gude and proffitable service to oure Soverane Lord, tending to the preservatioun of the state of Christiane religioun, his Hienes royall persoun and croun, resisting and repressing of his Majesties rebellious and inobedient subjectis, and quieting of the cuntrie; and that his Majesteis faithfull subjectis sall incur na skaith nor danger thairthrow, nor be callit nor persewit thairfor, criminallie nor civilie, in ony wyise in tyme cuming, as the said Act beris; and thairfore all actioun and proceding aganis the saidis complenaris, or ony of thame, for

the caussis abonewrittin, aucht to ceise and be dischargeit in all tyme cuming, as is allegeit. And anent the charge gevin to the said Robert Ker of Wodheid, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall, at ane certane day begane, bringand and produceand the foirsaidis summondis of allegeit spuilye intentit and persewit be him aganis the saidis complenaris, to be sene and considerit be the said Regent and Lordis foirsaidis; and to heir and se it be fundin and declarit, that all thingis done and assistit unto be thame, or ony of thame, the tyme abonewrittin, wes in oure Soverane Lordis service, for resisting and repressing of his Hienes declarit tratouris rebellis and inobedient subjectis, and thair wickit interpryissis, as is abone mentionat; and thairfor the said Robert Ker, to have na place nor actioun, criminall or civile, aganis the saidis complenaris or ony of thame, for the allegeit cuming to his said place, entering thairin or away taking of ony guidis furth of the samyn, or ony thing that micht follow thairon; and the saidis Lordis of oure Soverane Lordis Counsall and Sessioun, and all utheris his Hienes judgeis within this realme, to be dischargeit simpliciter of all calling and proceding aganis the saidis complenaris, or ony of thame, for the samyn in ony wyise in tyme cuming, for the caussis foirsaidis, and utheris to be proponit and allegeit the saidis day and place; or ellis to schaw ane ressonable caus quhy the samyn suld nocht be done; with certificatioun to him and he failye, my Lord Regentis Grace and Lordis of Secreit Counsall foirsaidis will decerne and declair in maner foirsaid, lyke as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. Quhilkis being callit, the said Sir Thomas Turnbull of Badroull knicht, Richard Rutherfurde Provest of Jedburgh, and Williame Aillie thair,—comperand personalie for thame selffis, and in name and behalf of the remanent persounis abone expremit complenaris, quha producit ane copy of the principall snmmondis deliverit to the said Sir Thomas Turnbull the tyme of the executioun of the samyn aganis him, off the quhilk the tennour followis:—James, be the Grace of God, King of Scottis: To our lovittis George Young, etc., our Shereffis in that part, conjunctlie and severalie, specialie constitute, greting: Oure will is, and we charge you, that ye peremptourlie summond, warne, and charge—Sir Thomas Turnbull of Bedroull knicht, Williame Turnbull his sone and apperand air, Walter Turnbull his sone alsua, Williame Turnbull of Barnhillis, Walter Turnbull of Bewlie, Johnne Turnbull of Mynto, Johnne Rutherfurde youngar of Huntlie, Johnne Rutherfurde callit Jok of the Know in Nisbett, Charlis Rutherfurde of the Wallis in Nisbett, Phillip and Johnne Rutherfurdis breder in Edgarstoun, Richard Rutherfurde Provest of oure burgh of Jedburgh, Williame Aillie thair, George Dowglas thair, David Anislie thair, Adame Anislie thair, Maister Johnne Rutherfurde thair, Williame Rutherfurde thair, Mungo Bennat, Edward Lorane of Harwod, Maister George Turnbull of Hassinbank,—to compeir befoir us and oure Counsall, at Edinburgh, or quhair it sal happin us to be for the tyme, the xxiiii day of Aprile, in the lxxiii yeir of God, gif it be lauchfull; and failyeing thairof, the nixt lauchfull day thairefter following,

in the hour of caus, with continewatioun of dayis, to answer at the instance of our lovitt Robert Ker of Wodheid; that is to say, the saidis persounis for the wrangus violent and maisterfull breking up be force of the yettis and durris of the said Robert Kerris place of Ancrum, and spoliatioun be thame selffis thair servandis complices and utheris in thair names, of thair causing command assistence and ratihabitioun, with convocatioun of our liegis, to the nowmer of fyve hundreth men or thairby, bodin in feir of weir; awaytaking and withhalding fra the said Robert Ker furth of his place of Ancrum of Wodheid, with thair pertinentis pertening to him in heretage liand within oure Sherefdome of Roxburgh, recentlie, upoun the xxvii and xxviii day respective of Februare last bipast, off the victuall, plenissing, insicht guidis, geir, abilyeamentis, silver and cornis underwrittin, of the quantitie and prices following, quhilkis than pertenit to the said Robert Ker as his awin proper guidis, and wes than in his possessioun within the said place, girnallis and houssis thairof, and upoun and within his saidis landis, manis and barnyard of Ancrum Wodheid, lyke as thai wer be the space of foure monethis or thairby nixt and immediatlie preceding;—that is to say, furth of the said place of Ancrum xl bollis heippit meill, price of the boll iii ℔.; xxx bollis clene quheit, price of the boll iiii ℔.; fyftie bollis malt, price of the boll lvi ß.; xxx martis of salt beif, price of the mart iiii ℔.; the aill of xii bollis brewing of malt estimat to ten gallownis the boll, price of the galloun iiii ß.; ane tun of wyne, to wit thre puncheonis of clarett and ane puncheoun of quhyte wyne, price of the tun lxvi ℔. xiii ß. iiii ₰.; fiftie stane of cheise, price of the stane xvi ß.; xxiiii stane of butter, price of the stane xxvi ß. viii ₰.; xvi stane weycht of candill, price of the stane xxiiii ß.; ane barrikin of vinagrer contenand vi quartis, price of the quart overheid xl ₰.; ane quart of oy d'oleif, price thairof xxiiii ß.; iiii silver tassis weyand xii unce, price of the unce owerheid xxx ß.; ane silver maser dowbill owergilt weyand xviii unce, price of the unce xxx ß.; twa dosane of silver spunis weyand ane unce and ane half the pece, price of the unce xxx ß.; twa silver saltfattis, ane thairof partiall gilt with gold, with the cover weyand xii unce, price of the unce xxxiii ß., the uther weyand vii unce, price of the unce xxx ß.; ane silver fute to ane coupe weyand v unce, price of the unce xxx ß.; thre dosane of Flander pulder plaittis weyand fyve stane wecht, price of the pund v ß.; v dosane of Flander poyder truncheouris, weyand the dosane vii pund, price of the pund v ß.; twa basingis, twa lawers of Flanders poyder, price of the basing and lawer owerheid l ß.; v tyn flaconis of Flanders work, tua thairof full of aquavite extending to v pyntis, price of the pynt x ß., price of the pece of the saidis flaconis overheid xxx ß.; tuelf pottis les and mair, price of the pece xl ß.; aucht pannis of Flanders work, les and mair, price of the pece owerheid xvi ß.; foure irne rakkis, the pece weyand xxiiii pundis weycht, price of the stane xvi ß.; viii irne speittis weyand fyve stane, price of the stane xvi ß.; twa frying pannis, price of the pece xx ß.; twa rosting irnis, price of the pece x ß.; xl furneist fedder beddis with scheittis, coveringis, coddis, bousteris, blankattis, price of the furneist bed

ouerheid xx markis; thre standis of napery of fyne Flanderis dernik work, price of the stand x ℔.; thre stand of small lyning clayth, price of the stand ten markis; thre gentill womanis gownis, to wit, ane gown of blak champlott silk begareit with velvot, price thairof x ℔., ane uther of Frenche blak begartit with velvot, price thereof xxx ℔., and the thrid of Scottis russat begareit with velvot, price thairof xx ℔.; thre mennis dowblattis, ane thairof blak satine, price thairof x ℔.; ane uther of violet armosie taffatie, price vi ℔.; and the thrid dowblat of blak bumbassy, price iii ℔.; thre hattis to gentill wemen, ane of blak velvot, price iii ℔., ane uther of blak armosy taffatie, price l ß., and the thrid of blak felt with ane string to it, price xl ß.; ane mekill brasin watter fatt, price x ℔.; twentie scoir of crounis of the sone, price of the pece xxxvi ß.; i^{c} auld angell nobillis, price of the pece lvi ß.; xl roise nobillis, price of the pece iiii ℔. xvi ß.; fyve portingall ducattis, price of the pece xx ℔., and fyve hunredth merkis in quhite money, sic as Scottis xxx ß. pecis, Scottis v ß., testanis, plakkis and babeis; and furth of the barnis of Ancrum of Wodheid, sex scoir bollis threschin aittis, price of the boll xxx ß.; fiftie bollis of threschin beir, price of the boll xl ß.; xxiiii bollis threschin quheit, price of the boll iii ℔.; ane chalder threschin peise, price of the boll l ß.; and furth of the barnyard of the same vi stakkis of aittis, ilk stak contenand foure scoir thravis estimat to fiftie bollis aittis, price of the boll with the forder xxxv ß.; fyve stakkis of beir, ilk stak contenand owerheid foure scoir thravis estimat to xl bollis beir, price of the boll with thre fodder xliiii ß.; twa stakkis of quheit contenand owerheid thre scoir thraves quheit, estimat to xxx bollis quheit, price of the boll with the fodder iiii ℔. money of our realme, as is allegeit.—And thairfore the saidis persounis, to heir thame, or ony of thame, be decernit be decreit of the saidis Lordis of our Counsall to have done wrang in the violent and maisterfull breking up be force of the yettis and durris of the said Robert Kerris place foirsaid, and spoliatioun be thame selffis, thair servandis, complices and utheris in thair names, of thair causing and command as said is, with convocatioun of our liegis in maner abonewrittin; and withhalding fra the said Robert Ker furth of his place abone mentionat, girnallis and houssis thairof; and furth of his landis, manis, barnis and barneyard abonewrittin, recentlie, the dayis abone specifiit, of the victuall, plennesing, insicht guidis, geir, abilyeamentis, silver work and cornis abone writtin, quhilk than pertenit to the said Robert Ker as his proper guidis, and wer than in his possessioun within his said place, girnellis and houssis thairof, and upoun and within his saidis landis, manis, barne and barneyard foirsaidis; lyke as thai wer be the space and maner abone contenit; and to restoir and deliver the same agane to the said Robert Ker, and his possessioun ground and places respective that thai wer takin and spuilyeit fra, als gude as thai wer the tyme thai wer takin and spuilyet—or the avale thairof and prices foirsaidis—according to justice, and for the coistis and skaithis sustenit be the said Robert Ker thairthrow. And forder, to answer at his instance in the said mater, in sa fer as law will; making intimatioun to the saidis persounis, that quhidder thai compeir or

not the saidis day and place, with continewatioun of dayis, we will proceid and minister justice in the said mater in sa fer as we may of law, conforme to oure Act of Parliament maid anent recent spuilye, and ane deliverance of the saidis Lordis of our Counsall thairanent, attour that ye lauchfullie summond, warne and charge, etc., to compeir befoir us and oure Counsall the saidis day and place, with continewatioun of dayis, to beir leill and suthfast witnessing in sa fer as thai knaw or salbe sperit at thame in the said mater, under all hieast pane and charge that eftir may follow, as ye will answer to us thaiupoun. The quhilk to do we commit to yow, conjunctlie and severalie, oure full power, be thir oure letters, delivering thame be yow dewlie execute and indorsate agane to the berar. Gevin under oure signet, at Leith, the thrid day of Marche, and of oure regnne the fyft yeir, ex deliberatione Dominorum Consilii, etc. And the said Robert Ker of Wodheid being lauchfullie chargeit, oftymes callit and not comperand, the ressonis and allegationis of the partie present being hard and considerit be my Lord Regentis Grace and Counsall, and thay ryiplie avisit thairwith ; my Lord Regentis Grace, with avise of the said Lordis, findis and declaris that all thingis done and assistit unto be the saidis complenaris, or ony of thame, the tyme abonewrittin, wes in oure Soverane Lordis service for resisting and repressing of his Hienes declarit tratouris, rebellis and inobedient subjectis, and thair wickit interpryses, as is abone mentionat ; and thairfor that the said Robert Ker hes na place nor actioun, criminall nor civile, aganis the saidis complenaris, or ony of thame, for allegeit cuming to his said place, entering thairin and awaytaking of ony guidis furth of the samyn, or ony thing that may follow thairon ; and dischargeis the Lordis of Counsall and Sessioun, and all utheris judgeis within this realme, simpliciter, of all calling and proceding aganis the saidis complenaris, or ony of thame, for the samyn in ony wyise in tyme cuming, and of thair offices in that part.

Caution for Mr. James Irwing.

The quhilk day, Alexander Ogilvy of Boyne become cautioner and souirtie for Mr. James Irwing broder germane to Alexander of Drum, that he sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall upoun the twentie day of October nix to cum, to answer to sic thingis as salbe inquyrit of him at his cuming ; and in the meyntyme, sall behave him self decentlie and honestlie in quhatsumevir partis of this realme quhair he resortis ; and sall do nor attempt na thing, in word or deid, aganis the stait of the Christiane religioun publictlie precheit and establishit within this realme, nor the authoritie of oure Soverane Lord, under the pane of twa thowsand pundis ; and in respect of the said souirtie, dischargeit the act of souirtie maid of befoir for the same effect, and for his comperance befoir my Lord Regentis Grace and Counsall, the last day of August instant, and ordanis the same to be deleit furth of the buikis of Secreit Counsall, and to have na force nor effect in tyme cuming. Sic subscribitur: Alexander Ogilvy of Boyne.

Charge for entre of the Plegeis.

The quhilk day, anent the chargeis gevin be virtew of oure Soverane Lordis letteris to the personis underwrittin, to enter and present the utheris

persounis underspecifiit befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, eftir the forme and tennour of the actis maid thairanent, and under the panis of twa thowsand markis for ilkane of the saidis persounis respective contenit thairin, quhilk is the commoun pane and conditioun for every ane of the saidis plegeis; and gif thai failyeit thairin, to heir and se thame decernit to have incurrit the said pane, and letters direct of horning or poynding of their lands and guidis, conjunctlie and severalie thairfor. That is to say

[List of names of persons inculpated and their sureties.[1] The concluding portion of the minute follows.]

Quhilkis being callit, the said Williame Sinclair of Rosling comperand personalie, grantit that he had lettin the said David Bell callit the Young Kyng to libertie upoun ane band of the Lard of Tynwald; the said Williame Lord Borthuik answerand be James Erll of Mortoun, Regent to oure Soverane Lord, declarit that the saidis Edward Irwing and Johnne Johnnstoun of the Quais wer lettin to libertie upoun band; the said Sir Williame Scott of Balwery knicht, comperand personalie, allegeit that he ressavit not the said Johnne Ellott of the Park upoun ony promeis to keip him, and also grantit that the said Johnne Ellot wes interchangeit with Hobbe Ellott, sone to umquhile James of the Park, quhilk Hobbe wes interchangeit; and yit the said Sir Williame had ane band of Sir Walter Ker of Cesfurde knicht, Andro Ker of Fawdounsyde, and Walter Riddell of that Ilk; the said David Wemys of that Ilk comperand personalie, grantit that his said umquhile fader in his tyme had lettin the said Lancy Armstrang to libertie upoun band, and thairfor allegeit that he aucht not to answer for him; the said Henry Lord Sinclair comperand be Johnne Clerk his servand, and in his name grantit likewyise that he had lattin the saidis Andro Littill and Johne Scott, callit the Stowr, to libertie upoun band and promeise; the said Robert Lord Simpill comperand be Allane Lord Cathcart, and in his name promeist to caus charge Johnne Irwing, callit the Young Duik, and Thomas Armstrang, to enter for his releif at sic a day as my Lord Regentis Grace wald appoint; the said Sir Johnne Bellenden of Auchnoule knicht, Justice Clerk, comperand personalie, grantit that he had lattin the said Johne Carrutheris, thrid Lard of Holmendis to libertie upoun band; the said Williame Lord Ruthven comperand be Robert Colvile of Cleische, and in his name grantit that he had lattin the said Andro Baty, sone to Hew Baty, to libertie upoun band; and the remanent personis abone writtin alsua oftymes callit and not comperand; quhairfor my Lord Regentis [Grace] with avise of the saidis Lordis, assignis to the persounis comperand the xx day of September nix to cum, to bring and present the utheris persounis abone mentionat, deliverit to thame in keping as said is, under the panis foirsaidis contenit in the saidis actis, with certificatioun to thame, and thay failye thairin, thay salbe decernit to incur the same panis; and letters of horning or poynding of

[1] These are in the Index of names excluded.

thair landis and guidis salbe direct aganis thame for uplifting of thame in forme as efferis; and for thair releif ordanis letters to be direct upoun the persounis quhome of thai have bandis or promeissis, to charge thame to enter thame conforme thairto, and under the panis contenit in the samyn; and the utheris persounis abone mentionat chargeit as said is, oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, decernis thame and ilkane of thame respective, to have incurrit the panis contenit in the saidis actis; and ordanis letters to be direct of horning and poynding of thair landis and guidis for the samyn in forme as efferis.

Mongo Hammiltonis Band.

The quhilk day, Mungo Hammiltoun of Perdoven and Johnne Hammiltoun of Boyne,—takand the burding upoun thame for thair brether, kin, freindis, tenentis and servandis,—oblist thame that thay sall na wyise invade molest, nor persew be way of deid, James Bog in Innerwik and Robert Bog, thair brether, men, tenentis, and servandis, and utheris—contenit in the letters direct for chargeing of baith partiis to have comperit at ane certane day for ordour taking anent all variance and contraversie betuix thame,—unto the xxiiii day of September nix to cum, under the pane of ane thousand pounds. Sic subscribitur: Mungo Hamiltun of Humby.

Apud Edinburgh, xx die Augusti, anno Domini j^{m}v^{c}lxxiii.

Lord Ruthven.

Robert Bruce of Clakmannane.

Forsamekle as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsall, that throw the actioun and caus standing debatable befoir the Lordis of Counsall and Sessioun, betuix Williame Lord Ruthven and Robert Bruce of Clakmannane, anent the teyndis Raith within the sherefdome of Perth, convocatioun of oure Soverane Lordis liegis wes maid farnyeir be baith the partiis, quhairupoun grit blude shed deidlie feid and utheris inconvenientis happynnit; and the said actioun standing as yit undecidit, thair intentioun is to do the like this yeir, now in sic a tyme quhen his Grace wilbe in uther cuntreis for making ordour and quietnes; quhairupoun grittar cummaris ar not only like to fall out betuix the saidis partiis, bot grit trouble and inconvenientis will ensew the inquietatioun of the cuntrie thair, gif the samyn be not in tyme preventit. For remeid quhairof my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct to messingeris or uther officiaris of armes, chargeing baith the saidis partiis, that nane of thame tak upoun hand to mak convocatioun assembliis or gadderingis, for teynding leding or awaytaking of the saidis teyndis; bot that thai leif the same upoun the ground of the saidis landis, to be schorne wyn and stakkit in tyme cuming upoun the expenssis of the Shereff, be Johnne Charteris of Kynfawnis, and remane in his handis and possessioun as od personage, ay and quhill the said actioun and pley be decidit, to be furthcumand to the partie quha sall obtene sentence and decreit as having best richt thairto,

for avoiding of forder trouble and inconvenientis; with certificatioun to thame and thai failye, thai salbe callit and accusit thairfore at particular dyettis and Justice Courtis, as contravenaris of the Act of Parliament maid anent convocatioun of oure Soverane Lordis liegis without licence, and under all hieast pane and charge.

Apud Aytons Burne, xxv die mensis Augusti, anno Domini j^{m}v^{c}lxxiii^{o}.

Dischargeing all Bandis to Thevis.

Forsamekle as my Lord Regentis Grace hes reparit in this cuntre for the dantoning of the thevis and disordourit people inhabiting the Bordouris, a greit part of thame hes enterit thair plegeis and maid suirtie for thair debtfull obedience in tyme cuming, and reparatioun of thair bipast offenssis; and seing it is aganis the honour and authoritie of our Soverane Lord, and unworthie to be permittit in ony commoun weill, that ane subject suld tak ransoun or impresoun ane uther; thairfore it is statute and ordanit, and declarit be my Lord Regentis Grace, with avise of the Lordis of Privie Counsall; that frome this tyme furth all bandis maid and gevin for entrie of presoneris tane be thevis and brokin men, and all bandis and promeissis for pament of ransonis to thevis or mediat personis in thair names, alsweill be the principall partiis that ar and hes bene takin, as be quhatsumevir personis thair souirteis in haill or part, ar, and wer from the begynning, and salbe estemit in tyme cuming, wrangus and unlefull, and dischargeis the same simpliciter now and in all tyme cuming; and that na man tak upoun hand to crave or putt at for entrie of the saidis persounis or pament of the saidis ransonis, directlie or indirectlie, be thame selffis or mediat persounis, under the pane of tressoun; and that nane tak presoneris or mak or crave and resave ransonis in tyme cuming, under the said pane.

At the Camp in Aytons Burne, the xxvi day of August 1573.

A licence to the commonis to pas hame fra the raid maid upoun the Thevis.

Forsamekle as my Lord Regentis Grace hes resavit suirtie and plegeis for the dissobedient and disordourit people inhabiting the Bordouris, and now having consideratioun of the harvist present, and unwilling to stay the commonis and lauboraris thairfra, hes thairfore grantit and gevin licence,—and be thir presentis grantis and gevis licence—to all the commonis, yemen men and careageis, to depart and pas hame to thair dwelling places; and that all nobill men, landit men and substantious gentilmen, with thair houshaldis, pas furthwart, and attend upoun his Grace during his remaning in Teviotdaill, efter the forme of the proclamatioun maid for convening of this present army during the tyme thairof, and under the panis contenit in the samyn.

Apud Hadenrig, xxix die Augusti, anno Domini j^{m}v^{c}lxxiii^{o}.

Aggrement betuix the Wardanis of Scotland and Ingland anent Thevis.

It is aggreit betuix the Wardanis of baith the realmes, in presence of the Lord Regentis Grace of Scotland, that albeit sum disordourit people, have during the troublis takin utheris presoneris, expres aganis the treatise of peax and amitie standing betuix the realmes, that notwithstanding all presoneris on ather syde from this day furth salbe at libertie, and all bandis and promeissis for entre of presoneris or pament of ransonis, unlauchfullie takin or gevin, dischargeit for evir; and that nane tak upoun to crave bauchill, or put at for entrie of presoneris takin unlauchfullie, as said is, or for pament of ransonis awand in haill or part, under the pane of tressoun; and siclike that na personis tak upoun to enter as presoner, or to pay ransoun awand in haill or part, notwithstanding ony band or promeise maid thairfore in tyme begane, or ony bauchling that sal happin to be maid for the samyn in tyme cuming, under the said pane of tressoun: In witnes of the quhilk thing the Wardanis of baith the Marches hes subscrivit this present agrement with thair handis. Sic subscribitur: Johne Forster. Williame Ker. Johnne Selbye.

Apud Dalkeith, secundo die mensis Septembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Anent the persute of the Thevis.

Forsamekle as in the Parliament haldin in the first yeir of the regnne of the Kingis Majestie oure Soverane Lord, thair is ane Act maid anent thift and ressett of thift, taking of presoneris be thevis, or bandis for ransounis and punishement of the same; in quhilk Act, besyde mony utheris passis and claussis divisit for the commoun weill and quietnes of the realme, it is statute and ordanit that all our Soverane Lordis faithfull and obedient subjectis, quhilk suld happin to tak and apprehend ony thevis in thair passing to commit thift, or in the actuale doing thairof, or in thair returning thairfra, on na wyise suld lett thame to libertie and fredome, bot present thame befoir the Justice or his deputtis in the Tolbuith of Edinburgh within fyftene dayis efter thair apprehensioun—gif thair takaris, havand power, justifie not thame to the deith thame selffis. And als, that nane tak assurance, or sitt under the assurance, of the saidis thevis, or pay thame blak maill, or gif thame meitt, drink, ressett, mantenance, or supple, in thair thiftuous deidis, under the pane of deid and confiscatioun of all thair guidis movabill; and in likemaner quhen ony thevis reparis in steling or reving within the incuntrie, that all oure Soverane Lordis liegis duelland within the boundis quhair thay resort, ryis, cry, rais the fray and follow thame, alsweill in thair incuming or out passing, on hors and fute, for redding and recovering of the guidis stollin and reft, and apprehending of the thevis persounis to be brocht to justice; and that thai concur with the awnaris of the guidis and utheris followaris to that effect, under the pane to be haldin partakaris of the said thift. And quhasaever beis suspectit or delaittit to do in the contrair, that the Justice Clerk grant letters at the instance of ony party complenand upoun the premissis or ony part thairof, for calling of the

offendouris to underly the law thairfore at ane particular dyett, or accuse thame for the same at generall Justice Airis, executand the panis contenit in this present Act aganis the contravenaris thairof, but favour or delay, like as at mair lenth is contenit in the said Act of Parliament, quhilk hes not takin full effect nor bene dewlie obeyit sen the making and constitutioun thairof, diverse of the subjectis takand the grittar libertie to offend aganis the law, be ressoun of the troublis standing in the inward partis of the realme, throw the quhilk the ordinar executioun of the said Act and panis contenit thairin ceissit, to the greit incourageing of thevis, and the hevy wrak and heirship of honest and trew men.[1] But now my Lord Regentis Grace, having takin cairfull panis and travellis to quiet the saidis thevis and wickit and disordourit people, the publict troubles in the incuntrie being alsua at Godis pleasour setled, hes thocht convenient that the effect of the said Act of Parliament, specialie in the poyntis abone writtin, salbe of new publist, that nane pretend ignorance of the same in ony tyme cuming: thairfore ordanis letters to be direct, chargeing all and sindrie our Soverane Lordis liegis quhilkis sal happin in ony tyme heirefter to tak and apprehend ony thevis in thair passing to commit thift, or in the actuale doing thairof, or in thair returning thairfra, that thay on na wyise lett thame to fredome and libertie, bot present thame befoir the Justice or his Deputtis in the Tolbuith of Edinburgh, within the space abone specifiit; and als that nane tak assurance, or sit under the assurance of the saidis thevis, or pay thame blak maill, or gif thame meit, drink, ressett, mantenence or supplie in thair thiftuous deidis, under the said pane of deid and confiscatioun of all thair guidis movable; and in like maner quhen the saidis thevis reparis in steling or reving within the incuntrie, to command our Soverane Lordis liegis duelland within the boundis quhair thay resort, that thay ryse, cry, rais the fray and follow thame, alsweill in thair incuming as outpassing, on horse and fute, for redding and recovering of the guidis stollin and reft, and apprehending of the thevis personis to be brocht to justice; and to concur with the awnaris of the guidis and utheris followaris to that effect, under the pane to be haldin partakeris of the said thift; and that all partiis grevit crave justice aganis contravenaris of the said Act, efter the forme and tennour of the same in all poyntis.

Apud Halyruidhous, xii die mensis Septembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Mr. George Monro.

Anent our Soverane Lordis letters raisit at the instance of Maister George Monro, makand mentioun;—that quhair he is lauchfullie providit to the Chancellary of Ross be his Hienes presentatioun, admissioun of the Kirk, and the Lordis decreittis thairupoun, and hes obtenit letters in all the foure formes thairupoun; and thairwith hes causit charge the tenentis and intromettouris with the teynd schaves thairof, to mak him and his factouris pament; and in this meyntyme Rore M^{c}Kenze, broder to Colene M^{c}Kainze

Rory M^{c}Kenze.

[1] Act "anent thift, and resset of thift, takin of the presonaris be thevis, or bandis for ransounis, and punischement of the samin."—Act Parl. Scot. iii. 31.

of Kintale, havand continewall residence in the steopill of the Channonry of Ross, quhilk he causit big not only to oppress the cuntrie with maisterfull reif, soirning and daylie oppressioun, bot alsua for suppressing of the Word of God, quhilk wes ay precheit in the said Kirk preceding his intery thairto—quhilk now is becum ane filthie sty and den of thevis; hes maisterfully and violentlie, with ane grit force of oppressouris, cum to the tenentis addebtit in pament of the said Mr. George benefice foirsaid, and hes maisterfully reft thame of all and haill the frutis thairof; and sua he having na uther refuge for obtening of the said benefice, wes compellit to denunce the saidis haill tenentis rebellis and put thame to the horne, as the saidis letters and executioun thairof mair fullely proportis; and forder, is compellit for feir of the said Mr. George life to remane fra his vocatioun quhairunto God hes callit him. And anent the charge gevin to the said Rore M^{c}Canze to desist and ceise fra all intrometting, uptaking, molesting or troubling of the said Mr. Georges tenentis of his benefice abonewrittin for ony fruitis or dewiteis thairof, utherwyise than be ordour of law; or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, and schawin ane ressonable caus quhy the same sould not be done; under the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failyeit, letters wald be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, the said Maister George comperand personalie, and the said Rore M^{c}Kainze oftymes callit and not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct to officiaris of armes, Shereffis in that part, to denunce the said Rore Makcainze oure Soverane Lordis rebell and put him to the horne; and to escheit and inbring all his movable guidis to his Hienes use for his contemptioun.

Apud Halyrudhous, xiiii die mensis Septembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—

Jacobus Dominus Regens.
Archibaldus Comes Angusie.
Joannes Dominus Glammis Cancellarius.
Gulielmus Dominus Ruthven.
Patricius Dominus de Lindesay.
Robertus Dominus de Boyd.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.
Advocatus.

Caution for Charles Crawfurd.

The quhilk day, Thomas Levingstoun of Haning become actit cautioner and souirtie for Charlis Crawfurde, that he sall compeir befoir my Lord Regentis Grace, quhen he and his souirtie salbe chargeit thairto, upoun aucht dayis warning; and sall do nor attempt na thing in hurt or prejudice of our Soverane Lord, his Regent nor authoritie; bot sall behave him

self as ane dewtifull and obedient subject; and last that he sall not depart furth of this realme without licence of my Lord Regentis Grace had and obtenit to that effect, under the pane of ane thowsand pundis. Sic subscribitur: Thomas Levingstoun of Haning.[1]

Apud Halyrudhous, xv die mensis Septembris, anno Domini $j^{m}v^{c}lxxiii^{o}$.

Caution for Williame Leslie of Tullefour.

The quhilk day, James Leslie burges of Abirdene become cautioner and souirtie for Williame Leslie of Tullefour, that he, be him self, his men, tenentis, and servandis, sall na wyis molest, trouble, nor mak impediment be way of deid, to Johnne Erskin of Balhagardy, or his servandis in his name, in berging, using and ganging of the mylne, within the toun of Petrody, in tyme cuming, under the pane of ane hundreth pundis, to be pait toties quoties to the said Johnne, without prejudice alwayis to him to persew the said Williame or utheris quhatsumevir civilie or criminallie, for allegeit casting of the said myln under sylence of nicht within the toun of Petrody, upoun the penult day of Julii last bipast; or yit to thame to defend and utherwyise to persew the said Johnne for allegeit berging of the said mylne upoun the said Williames landis of Bennoche, as accordis of the law; and the said Williame oblist him to releif his said souirtie of all pane and danger that he may sustene thairthrow. Sic subscribitur: James Leslie, with my hand at the pen led be Johne Andro, becaus I can not writt. Williame Leslie of Tullefour.

Apud Halyrudhous, xix Septembris.

Sederunt—

Jacobus Dominus Regens.	Clericus Registri.
Adam Episcopus Orchadensis.	Clericus Justiciarie.
Robertus Commendatarius Dunfermling.	

Inhabitantis of the Sand Gait of Air.

Anent our Soverane Lordis letters raisit at the instance of the maist part of the inhabitantis of the burgh of Air, specialie the indwellaris of the Sand Gait thairof, makand mentioun;—that quhair the said burgh, as is notourlie knawin to his Hienes and his richt traist cousing James Erll of Mortoun Lord of Dalkeith, Regent to his Hienes, his realme and liegis, and Lordis of Secreit Counsall, lyis contigue adjacent to the sey coist object to sand, ewest be the quhilk the said Sand Gait, with the haill venallis of the said toun, except the brig, ar owerblawin and almaist wrakkit, sua that in few dayis, without haistie remedy be put, the same altogidder is apperandlie to becum inhabitable. Quhairthrow the saidis complenaris that ar puir anis salbe halilie brocht to utter beggartie, and

[1] Deleit be ane command in writt of my Lord Regentis Grace, daitit at Haliruidhous, the xxvi day of Maii 1574.

the said burgh to wrak and decay. Howbeit in veritie the speciall caus thairof is be the negligence and ovirsicht of the Magistrattis of the said burgh, quha having respect to thair particular proffeitt hes takin na regard of the commoun welth thairof, bot specialie be occasioun of ane civile dissentioun betuix thame thir diverse yeiris bigane, the samyn hes bene altogidder neglectit; quhairas the commoun gude of the said burgh, quhilk of auld in rentall extendit to the sowme of thre hundreth and vii markis and fiftie fyve bollis of malt and meill yeirlie, and utheris proffeittis, being employit upoun the maist necessar effaris of the said burgh, wes sufficient to have stoppit the said inconvenient; of quhilk commoun gude thair hes bene na just compt maid thir diverse yeiris bigane, bot takin up be the Thesauraris and Magistraitis of the said burgh for the tyme, and bestowit upoun thair awin affaris and besynessis, as apperis. And anent the charge gevin to Johne Stewart and Robert Chalmer, Baillies of the said burgh, and Johne Bell, Thesaurar of the samyn,—to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to answer to the said complaint, and to heir and se sic ordour takin thairanent as micht tend to the commoun welth of the said burgh, for avoiding of the said apparent inconvenient,—as als for geving of compt of thair said commoun gude, and how the samyn hes bene bestowit in tyme bipast, and salbe employit in tyme cuming, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit, letters suld be direct to put thame to the horne, like as at mair lenth is contenit in the saidis letters, executioun and indorsationis thairof. Quhilkis being callit, Gilbert Cathcart for himself, and in name and behalf of the saidis inhabitantis of the said burgh of Air, and specialie the Sand Gait of the samyn, comperand personalie, and the saidis Baillies and Thesaurar oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and denunce the saidis Johne Stewart and Robert Chalmer, Baillies, and Johne Bell, Thesaurar, of the said burgh of Air, our Soverane Lordis rebellis, and put thame to the horne; and to eschete and inbring all thair movabill guidis to his Hienes use for thair contemptioun. Baillies of Air.

Apud Halyrudhous, xxi Septembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—Domini ut in die predicto.

The quhilk day, anent the terme assignit to Sir Williame Scott of Balwery knicht, to bring and present Hobbe Ellott, sone to James Ellott of the Park, befoir my Lord Regentis Grace and Lordis of Secrete Counsall, conforme to ane Act maid thairupoun, and under the pane of twa thowsand merkis, contenit thairin; with certificatioun to him and he failyeit, he suld be decernit to have incurrit the said pane, and letters of horning or poynding of his landis and guidis suld be direct aganis him thairfore; like as, for Balwery to entir Hob Ellot.

his releif, he obtenit letters chargeing Sir Walter Ker of Cesfurde, Andro Ker of Fawdounsyde and Walter Riddell of that Ilk, to enter and present the said Hobbe Ellott to the said Sir Williame for his releif within his place of Balwery within xv dayis efter the charge, conforme to ane band maid be thame to him thairupoun, and under the panis contenit in the samyn; lyke as at mair lenth is contenit in the saidis letters presentit befoir my Lord Regentis Grace and Lordis of Secreit Counsall, dewlie execute and indorsate upoun the foirsaidis personis. And the samyn being callit, comperit the said Andro Ker of Fawdounsyde for himself, and in name and behalf of the saidis Sir Walter Ker and Walter Riddell, the said Sir Williame Scott being alsua personalie present, quha producit the foirsaid band gevin to him for entrie of the said Hobbe Ellott be the saidis personis;—it wes allegeit be the said Andro Ker, that thay deliverit the said band to the said Sir Williame for the entrie agane to him of the said Hobbe in cais he had bene than detenit be him,—bot the said Hob being fred and at libertie befoir the said band come to the said Williames handis, that thairfore the samyn annullit, and thay on na wyise aucht to enter him be virtew thairof. Quhilk allegeance, with diverse utheris thair ressonis and allegationis, being hard and considerit be my Lord Regentis Grace and Counsall, and thai ryplie avisit thairwith;—my Lord Regentis Grace and Lordis foirsaidis, fyndis the said band gude and sufficient of the self, contenand na provisioun; and thairfore decernis and ordanis the saidis Sir Walter Ker, Andro Ker, and Walter Riddell, to enter the said Hobbe Ellott to the said Sir Williame, conforme to the tennour of the foirsaid band in all poyntis; and that letters be direct heirupoun gif neid be in forme as efferis.

Apud Halyrudhous, xxiiii die Septembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—

Jacobus Dominus Regens.
Archibaldus Comes Angusie.
Patricius Dominus de Lyndesay.
Robertus Dominus de Boyd.
Joannes Dominus Maxwell.
Joannes Dominus Hereis.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Gawin Ellot and Jehane Scott.

Anent oure Soverane Lordis letteris raisit at the instance of Gawin Ellott of Bailyeley and Jeane Scott his spous, makand mentioun;—that quhair thai have all and haill the sex merkland of Chalmerlane Newtoun, with thair pertinentis, liand within the barony thairof and sherefdome of Roxburgh, pertening to thame, heretabillie coft be thame fra George Turnbull burges of Jedburgh, and being infeft thairintill at the Feist of Witsonday last bipast, the said Gawin causit his spous foirsaid, with James Storie his servand, pas thairto upoun the day of Junii last bipast, to have

takin possessioun of the ane half of the samyn landis that wes occupiit be the said George, belevand na stop nor impediment to have bene done to thame thairintill. Nottheles Walter and Johne Scottis, sonnis to Margaret Turnbull, relict of umquhile David Ellott in Chalmerlane Newtoun, possessoure of the uther half of the landis foirsaidis, come to the saidis Gawynnis servand—he never offendand to thame in word or deid—and crewellie sett upoun him, hurt and voundit him in sindrie partis of his body, and left him for deid; of the quhilkis hurt as yit he is in danger of his lyfe; the samyn being done of the causing and command of the said Margaret, thair moder, schö having na takkis nor title to the samyn landis; and gif schö can clame ony titill thairto, the samyn wes be virtew of tak and assedatioun quhilkis ar of lang tyme bigane outrunin; and in that unressonable and proud maner not only debarrit thame to have possessioun of the half of thair saidis landis at the tyme foirsaid—quhilkis was occupiit, manurit and sawin be the said George—bot richt sua fra that half thairof occupiit be him, schö being ordourlie warnit to have removit fra the same befoir the said Feist of Witsonday last bipast, conforme to the Act of Parliament, like as schö hes wranguslie intromettit with the medois and gerse of the samyn landis, and as the saidis complenaris ar informit, ar to intromet with the cornis presentlie growand upoun the half of the saidis landis ocupiit and sawin thairon be the said George, without my Lord Regentis Grace provide remeid for punishement of sic proud oppressioun, to gif exempill to utheris not to committ the like in tyme cuming. And anent the charge gevin to the saidis Margaret Turnbull, Walter and Johne Scottis hir sonnis, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer to the said complaint and to sic uther thingis as suld be laid to thair charge at thair cuming, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit, letters suld be direct simpliciter to put thame to the horne, like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, comperit Sir Walter Scott of Branxholme knicht, in name and behalf of the said Margaret Turnbull and Walter Scott hir sone, the saidis Gawin Elott and Jeane Scott his spous being alsua personalie present. The said Sir Walter declarit that the said Margaret wes visiit with seiknes, quhairthrow schö micht not compeir at the day foirsaid, and notwithstanding promeist and tuik on hand to enter and present hir and the said Walter hir sone befoir my Lord Regentis Grace and Counsall at ony day his Grace wald appoint, to answer to the said complaint. Quhairfore his Grace, with avise of the saidis Lordis, assignis to the said Margaret and Walter for thair comperance, the xv day of October nixtocum, under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thai failye, letters salbe direct simpliciter to put thame to the horne; and the said Johne Scott alsua oftymes callit, and he nor nane in his name not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes, Shereffis in that

Margaret Turnbull and hir Sonnis.

part, chargeing thame to pas and denunce the said Johne Scott rebell, and putt him to the horne, and to eschete and inbring all his movable guidis to our Soverane Lordis use for his contemptioun.

Apud Halyrudhous, xxvi^to^ Septembris, anno Domini j^m^v^c^lxxiii^o^.

Charge for ressait of the Plegeis.

Forsemekle as my Lord Regentis Grace, having takin grit panis for quieting of the Bordouris and reduceing of the disordourit people, inhabitantis thairof, to the Kingis Majesties obedience, hes ressavit diverse plegeis of thame for observatioun of the conditiounis promeissit, quhilkis mon be kepit in the incuntrie be noblemen and utheris weill affectit to his Hienes service, and to the commoun quietnes of the haill realme; thairfore my Lord Regentis Grace ordanis letters to be direct, chargeing the persounis to quhome the saidis plegis ar appointit in keping to ressave the same persounis in thair custody, and to keip thame according to the ordour and directioun of my Lord Regentis Grace letters of ressaitt send to that effect, ay and quhill the saidis plegis be fred and relevit be our said Soverane Lord and his said Regent in his name, as the saidis persounis chargeit will answer upoun thair obedience at thair uttermaist charge and perrell; or ellis that thay, within sex dayis nixt efter thair charge, pas and enter thair personis in ward within the Castell of Dumbartane, thair to remane upoun thair awin expenssis, ay and quhill thay be fred and relevit be our said Soverane Lord and his said Regent, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis sex dayis being bipast, to denunce thame rebellis and putt thame to the horne, and eschete and inbring all thair movable guidis to his Hienes use for thair contemptioun.

[Normand Leslie in Talyeauch becomes bound to present before the Privy Council Alexander Leslie in Tempill of Christ's Kirk, in the Gareauch, for the alleged "dinging" of Fairwedder, officier of arms, upon 15 days' warning.]

[John Gordon of Lochinvar becomes cautioner for the tenants of Stichell, that they shall pay their teind sheaves of the last three crops to the party having the best right thereto.]

Apud Halyruidhous, ultimo Septembris, anno Domini j^m^v^c^lxxiii^o^.

Sederunt—

Jacobus Dominus Regens.
Robertus Dominus Boyd.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.

Cameragane.

Anent our Soverane Lordis letters raisit at the instance of Janet Dalrumpill of Cameragane and Johne Hume hir spous for his interes, makand

mentioun;—that quhair, efter foure sindrie decreittis obtenit befoir the Lordis of Counsall, aganis the wrangus detenaris and withhalderis of thair saidis landis of Cameragane, thay obtenit last of all decreit aganis Williame Kennedy of Bruntstoun Baillie of Carrik, quha succedit in the vice and violence of the injust possessouris of the saidis landis, quhilk decreit wes obtenit be the space of fyve yeris syne or thairby last bipast; and be the quhilk the said Williame wes decernit to desist and ceis; quha being chargeit to that effect be our letters in the foure formes, wes for his contemptioun denuncit rebell and at the horne; and sua hes continewallie be the space of foure yeiris, like as alsua Gilbert Erll of Cassillis Baillie principall of Carrik, efter diverse chargeis execute aganis him for putting of the saidis complenaris in possessioun of thair landis foirsaidis, wes in likemaner denuncit rebell for his dissobedience, continewand thairat without ony feir be the space of foure yeiris with the mair; the ane nor the uther never regarding thair offence to our Soverane Lord nor his authoritie, nor havand remorse in thair conscience to se the saidis complenaris destitute of thair awin heretage, quhairin, except thai be suppleit be my Lord Regentis Grace and Lordis of Secreit Counsall, thay have tint all forder esperance of thair richt, quhilk in the self is maist just and trew. And anent to the said Gilbert Erll of Cassillis, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Connsall at ane certane day bipast, to heir and se letters direct, chargeing him to pas and enter his persoun in ward within the Castell of Blaknes, or sic uther place as salbe thocht gude, thairin to remane upoun his awin expenssis ay and quhill he have fulfillit the command of the decreit and letters foirsaidis, and be dewlie relaxt fra the horne as use is, under the pane of tressoun; or ellis to have schawin ane ressonable caus quhy the same suld not be done; with certificatioun to him and he failyeit, the said day being bipast, the saidis letters suld be grantit, like as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. The said Janet Dalrumpill comperand personalie for hir self, and in name and behalf of the said Johne Hume hir spous, and the said Gilbert Erll of Cassillis oftymes callit and not comperand; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Erll to pas and enter his persoun in ward within the said Castell of Blaknes, thairin to remane upoun his awin expenssis ay and quhill he have fulfillit the command of the decreit and letters foirsaidis, and be dewlie relaxt from the said horne within aucht dayis efter the charge, under the pane of tressoun.

Erll of Cassillis.

Apud Halyrudhous, primo Octobris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—ut in die predicto.

Anent our Soverane Lordis letters raisit at the instance of Sir Hew Kennedy of Gervane Manis knicht, and Sir Johne Bellenden of Auchnoule Justice Clerk, makand mentioun;—that quhair thai obtenit ane decreit of

Sir Hew Kennedy and Justice Clerk.

Erll of Cassillis. transfering befoir the Lordis of Counsall and Sessioun aganis Gilbert Erll of Cassillis, with letters in the foure formes thairupoun, quhairwith thai causit charge him to releif thame at the handis of Alexander Scott of the pament of fyftie markis yeirlie, lyke as alsua the said Sir Johnne and Johnne Lummisden of Blanerne become cautioners for his said umquhile fader, for pament yeirlie to Matho Forester of thre scoir pundis; and the said Sir Hew and umquhile James Kennedy of Auchtilline, at the desyre of the said Gilbert Erll of Cassillis, oblist thame to caus infeft umquhile Johne Lord Borthuik and his airis in ane annuelrent of ane hundreth aucht markis, to be takin up yeirlie of the landis of Dynune and Castell thairof, and for thankfull pament yeirlie thairof quhill redemptioun of the samyn; and albeit the said Sir Hew and Sir Johnne aucht denunce him rebell and putt him to the horne, for non pament to the said Alexander Scott of the said fiftie markis for thair releif, of certaine yeiris begane, yit he wald not releif thame respective of the remanent sowmes abone specifiit, nor yit infeft Williame now Lord Borthuik in the said annuelrent, and mak him pament thairof, conforme to his obligatioun, and to frustrat the complenaris of thair releif, contempnandlie lyis at the horne. Quhairupoun thai menit thame to my Lord Regentis Grace and Lordis of Secreit Counsall, and obtenit letters, quhairwith thai causit charge the said Gilbert Erll of Cassillis, to compeir befoir [his] Grace and Lordships the xxviii day of Maii last bipast, to answer to the said complaint, and fulfill and underly sic ordour as suld be takin thairanent, as he wald answer upoun his allegeance and uttermaist charge and perrell. Quhilk he hes contempnandlie dissobeyit, as the saidis letters dewlie execute and indorsate, and callit befoir my Lord Regentis Grace and Counsall foirsaid, producit and schawin beris. Quhairthrow he hes not only dissobeyit ordinar letters of the Lordis of Sessioun, bot mair, hes contempnandlie dissobeyit the charge of our said Soverane Lordis letters grantit be the said Regent and Lordis foirsaidis, and execute upoun him as said is, takand na regard of the said horning, apperandlie as he regardis nouther law, justice nor authoritie, swa that the saidis Sir Hew Kennedy and Sir Johnne Bellenden are and wilbe frustrat of thair releif—being processit and put to the horne thairfore—without remeid be providit. And anent the charge gevin to the said Gilbert Erll of Cassillis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to heir and se letters gevin, to command and charge him to pas and enter his persoun in ward within the Castell of Blaknes, thairin to remane upoun his awin expenssis ay and quhill he have relevit the said Sir Hew and Sir Johne of the pament of the sowmes respective abonewrittin at the handis of the saidis personis, and all utheris quhome it efferis, and infeftment foirsaid, within xxiiii houris nixt efter the charge, under the pane of tressoun, in respect of his dissobedience and manifest contempt; or ellis to have schawin ane ressonable caus quhy the samyn suld not be done; with certificatioun to him and he failyeit, letters suld be direct in maner foirsaid, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The said Sir

Johne Bellenden comperand personalie, servand to the said Sir Hew comperand for him and in his name, and the said Erll being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Gilbert Erll of Cassillis to pas and enter his persoun in ward within the said Castell of Blaknes, thairin to remane upoun his awin expensis ay and quhill he have relevit the said Sir Hew and Sir Johne, of the pament of the sowmes respective abonewrittin, at the handis of the saidis persounis, and all utheris whom it efferis, and infeftment foirsaid, within aucht dayis efter the charge, under the pane of tressoun, and that he cum to the Secretar or his deputtis keparis of the signet, and ressave letters for his ressait in ward within the said Castell.

Apud Halyrudhous, viii die Octobris, anno Domini j^{m}v^{c}lxxiii^{o}.

Anent our Soverane Lordis letters raisit at the instance of Sir Williame Murray of Tullybardin knicht, Comptrollar to oure Soverane Lord, makand mentioun;—that qhair he causit poynd and appryise xxxii oxin, fyve scoir scheip, and ane hors, pertening to the tenentis of his Hienes landis of Ballintreif, and for the males and dewiteis restand awand of the samyn landis of diverse yeiris bigane; and the saidis guidis being deliverit to the said Comptrollar in part of pament of the saidis males and dewiteis, he committit thame agane to the custody and keping of Williame Stewart, broder to Johne Stewart of Tracquair, to remane with him quhill the same mycht have bene exchangeit in money for payment to the said Comptrollar of the saidis males and dewiteis, quhilk will extend far above the valu of the saidis guidis; and thai being in keping, as said is, pasturand upoun the saidis landis of Ballintreif, Patrik Hepburne in Tranent, upoun the xxviii day of September last bipast, accumpaniit with diverse his Majesties liegis, come to the saidis landis, and thair, maisterfully and perforce, reft and tuik away the foirsaidis haill guidis, quhairupon the said Patrik intendis to dispone as his awin proper guidis gif remeid be not providit in tyme, in hie and manifest contemptioun of oure Soverane Lord, his authoritie and lawis. And anent the charge gevin to the said Patrik Hepburne, to restoir the foirsaidis guidis takin be him as said is to the ground and place thai war takin fra, als gude as thai war the tyme of the awaytaking of the samyn, within xxiiii houris nixt efter the charge, under the pane of rebellioun and putting of him to the horne; or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsall, upoun the thrid day nixt efter the said charge, and schawin ane ressonable caus quhy the samyn suld not have bene done, under the said pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, the said Comptrollar comperand personalie, and the said Patrik Hepburne not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, charge-

Comptrollar.

Patrik Hepburne.

ing the said Patrik, yit as off befoir, to restoir the saidis guidis takin be him as said is to the ground and place thay wer takin fra, als gude as thai war the tyme of the awaytaking of the same, thair to remane to our Soverane Lordis use and behuif, within thre dayis nixt efter he be chargeit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failye thairin, the saidis thre dayis being bipast, to denunce him rebell and put him to the horne, and escheit and inbring all his movable guidis to his Hienes use, for his contemptioun.

Apud Halyrudhous, xiii° Octobris, anno Domini j^{m}v^{c}lxxiii.°

Band of the Bishop of the Ilis.

The quhilk day Johne Bischope of the Ilis Commendatare of Ardchatten, become actit and oblist to compeir personalie befoir my Lord Regentis Grace, betuix, and the first day of Februar nix to cum, and to bring and present ane sufficient and perfite particular rentall of the haill rentis and fruttis of the bischoprik of Ilis and Abbay of Ycolmkill, as alsua of the priorie of Ardchatten; and sall then underly sic ordour as salbe takin at that tyme, tuicheing the pament of the thrid of the saidis benefices, according to the ordour of the remanent prelaciis and benefices of the realme usit at this present, and mak sufficient suirtie thairupon; or then sall dimitt the said Bischoprik to be frelie disponit utherwyise; and likewyise the said Bischoppe, promeist and obleist him, to bring and present the same day and place, the names of the kirkis within his diocie of the Ilis, the names of the present possessouris of thame, and the certanetie of the rentallis sa far as convenientlie he can get inquirit, betuix, and the said day, to the effect foirsaid. Sic subscribitur: Jo. B. of Thylis.

Proclamatioun anent the Salt.

Forsamekle as the greit and exhorbitant prices raisit upoun the salt within this realme throw the frequent transporting of the same to the partis beyond sey, being considerit be my Lord Regentis Grace and the estaittis in Parliament; at last it is statute and ordanit, that na maner of salt salbe transportit out of this realme for the space of thre yeiris nix to cum, under the pane of confiscatioun of the same, with all the remanent movable guidis of the sellaris and transportaris; and thairefter it being menit be the awnaris and pan maisteris of certane pannis on the coist sydes, that in respect of the present derth standing within this realme and multitude of servandis intertenit be thame, thay wer not able to leif nor to have sale unto thair salt without licence and libertie to sell and transport samekle of the same as restit, attour the furnesing of the realme itselff and subjectis thairof; and thairupoun offerit and maid suirtie to serve the subjectis of this realme of salt at aucht schillingis the boll, havand libertie to sell and transport out of the realme utherwyise the remanent. Nevirtheles the awnaris and panmaisteris of the salt pannis of Culross, Kynneill, and certane uther partis on the south and north coistis of the watter of Forth, delayis and will not mak the like offer and suirtie for furnessing the sub-

jectis of this realme of salt upoun the prices abonewrittin, bot als sellis and sendis thair salt out of the realme, and sellis the same to the subjectis of the same upoun grit and exhorbitant prices, in manifest hurt and prejudice of the commoun weill, gif tymous remeid be not providit: Thairfore my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing thame to pas to the marcat croces of Edinburgh, Lynlithgow, Striviling, Culross and utheris places neidfull, commanding and chargeing all and sindrie our Soverane Lordis liegis,—awnaris, panmaisteris and wirkaris of the salt at the pannis of Kynneill and utheris pannis quhilkis hes not maid the saidis offeris and suirtie thairon,—that nane of thame tak upoun hand to by ony salt fra thame of dearer price nor viii ß. the boll, under the pane of confiscatioun of all thair guidis movable and punishing of thair personis at the will of our Soverane Lord and his said Regent, and that the saidis awnaris, panmaisteris and workeris of the salt reddely sell the same to all our Soverane Lordis liegis that will by the same upoun the price abonewrittin, and mak thair sellaris and girnellis patent to that effect; certefeing thame and thai failye, letters salbe direct, to mak oppin durris, quhairthrow the cuntrie may be servit; and this present Act and ordinance quhill the nixt Parliament in full effect and force to indure.

Apud Halyrudhous, xiiii die mensis Octobris, anno Domini j^{m}v^{c}lxxiii^{o}.

Anent our Soverane Lordis letters rasit at the instance of Dame Marie Peiris, relict of umquhile George Lord Seytoun, Robert and Marie Seytounis, thair sone and dochter, aganis Johne Cuninghame eldar in Seytoun, Johne Cuninghame his sone youngar thair, James Adesoun thair, Alexander Achesoun thair, Johne Craig thair, David Notman thair, Williame Dempstar thair, Johne Diksoun smyth thair, Johne Sleich thair, Williame Thomsoun thair, Nicholl Aflek thair, Thomas Dempstar thair, Gilbert Tait thair, Johne Fairlie thair, Johne Scott thair, Richard Tod thair, Patrik Wilsoun thair, Robert Findar thair, and Johne Michelsoun thair, for the violent deforceing of Johne Gledstanis and Richard Bynning, messingeris, upoun the sext day of October instant, in executioun of our Soverane Lordis letters of poynding alsua raisit at the instance of the saidis Dame Marie, Robert and Marie Seytonis hir sone and dochter, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, comperit the saidis Dame Marie Peiris, and Robert Seytoun hir sone; comperit likewyise the saidis Johne Cuninghame eldar, Johne Cuninghame youngar, Johne Craig, David Notman, Williame Dempstar, Williame Thomsoun, Nicoll Flek, Thomas Dempstar, Gilbert Tait, Johne Scott, Robert Fyndar, and Johne Michelsoun, quha denyit the committing of the said deforcement; and the saidis Alexander Achesoun, Johne Diksoun, Johne Sleich, Johne Fairly, Richard Tod, and Patrik Wilsoun, siclike oftymes callit and not com-

Lady Seyton.

Tenentis of Lady Seytoun.

perand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing Johnne Arnot, Edward Johnestoun, burgessis of Edinburgh, and Patrik Hepburne, witnessis specialie mentionat in the indorsatioun of the saidis letters of poynding,—and als Johne Cokburne, Sheref-deput of Hadingtoun, quha concurrit and assistit to the saidis officiaris in executioun of the samin letters,—to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at Halyrudhous, or quhair it sal happin thame to be for the tyme, upoun the xix day of October instant, to beir leill and suithfast witnessing in sa fer as thai knaw or salbe sperit at thame in the said mater, under the pane of rebellioun and putting of thame to the horne; and als to warne the saidis personis defendaris, quhilkis war summond of befoir and comperit not, to compeir the saidis day and place, to heir and se the saidis witnessis ressavit, sworne, and admittit, under the said pane of rebellioun, etc.; with certificatioun to thame and thai failye, letters suld be direct simpliciter to putt thame to the horne; and in the meintyme continewis the said mater in the samyn forme, force and effect as it is now, but prejudice of partie, unto the said day; baith the saidis partiis present warnit heirto apud acta.

Johnne Henrysoun. Anent our Soverane Lordis letters rasit at the instance of Johne Henrysoun, master of the Grammar Schole within the Abbay of Dunfermling, makand mentioun;—That quhair he and his predecessouris hes continewit maisteris and teichearis of the youth in letters and doctrine to thair grit commoditie within the said schole past memour of man, admittit thairto be the Abbottis of Dunfermling for the tyme, as havand the undoubtit richt and privilege to that effect, be virtew of the foundatioun of the said Abbay, like as he is willing to continew and tak panis to the instructioun and leirning of the youth to the uttermaist of his power; notwithstanding, David Fegusoun minister of Dunfermling, allegeing him to have command of Maister Johne Dowglas Archbischope of Sanctandrois, hes chargeit the said Johne Hendersoun to abstene fra all forder teiching within the said schole in tyme cuming, under the pane of pronunceing of the sentence of excommunicatioun aganis him, intending gif he do in the contrair, to proceid to the said sentence wranguslie, considering it is of veritie that he and his predecessouris hes continewit maisteris of the said scole in tymes past without interruptioun, admittit thairto as said is of the said Abbott; sua that gif ony sic charge suld have bene maid, the same suld have bene extendit towardis him, and the said Abbott admoneist and warnit to have providit sum uther persoun in the same place, in caise the present possessour had not bene qualifiit to use the charge, or utherwyise of evill conversatioun or lyfe; bot trew it is, that not only hes the said Johnne Henrysoun gevin confessioun of his faith and professioun of the trew Kirk, bot alsua hes behavit himself honestlie in conversatioun and lyff; never techeing or utherwyise moving ony thing to the sklander of the Evangell, lyke as he is content to submitt him to the judgement of sic as

Bishop of Sanctandrois. Minister of Dunfermling.

hes understand and leirnit of his doctrine, or ony utheris honest and famous personis; and in caise ony offence had bene ministrat be him worthy deprivatioun of the said charge (as thair is nane), yit be the lawis and practique of this realme can not nor aucht not ony sic chargeis or sentence be led aganis him, the actioun being meir civill and prophane; and thairfor the said Bischope and Minister ar na judgeis competent thairto; and na law yit establishit or approvit that gevis thame sic power; bot the samyn sentens being only ordanit to be pronuncit upoun sic as had not nor wald not acknawlege the trew Kirk, quhilk on na wyise can be imputt to the said Johne Hendersoun, for utherwyise the said sentence of excommunicatioun suld be extendit to all uther maner of actionis of quhatsumevir qualitie thay wer; and be that way the ministeris of the Kirk suld mak thame selffis judgeis in all caussis, outher be direct or indirect meanes, quhilk wer ane grit absurditie; and thairfoir the saidis chargeis gevin to the said Johne to the effect foirsaid, with all that hes followit or may follow thairupoun, aucht and suld be suspendit simpliciter, and to have na forder strenth in tyme cuming. And anent the charge gevin to the saidis Archebischope and David Fergusoun minister, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to heir and se thame dischargeit of all forder pronuncing or using of the said sentence aganis the said Johne, or impediment making to him in using of the said charge in tyme cuming; or ellis to schaw ane ressonable caus quhy the samyn suld not be done; with certificatioun to thame and thai failye, my Lord Regentis Grace wald discharge in maner abonewrittin, like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit at sindrie diettis, the said Johne Hendersoun comperand personalie, and the saidis Archebischope and David Fergusoun minister, naither be thame selffis nor na utheris in thair names not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, findis that na sic forme or ordour of sentence of excommunicatioun suld be gevin or pronuncit aganis the said Johne in maner foirsaid; and thairfore dischargeis the said Archbischope and minister of all proceding or using of the said sentence upoun the said Johne in maner abone mentionat in tyme cuming, and of thair offices in that part, without prejudice alwayis to thame to persew him utherwyise for removing fra the said charge, or yit to him to defend, conform to this lawis and practique of this realme.

Apud Halyrudhous, xv die Octobris, anno Domini j^{m}v^{c}lxxiii^{o}.

Gawin Ellot and his spous.

Anent our Soverane Lordis letters raisit at the instance of Gawin Ellot of Bailycley, and Jeane Scott his spous, makand mentioun [in the same terms as the minute of 24th September, p. 280, down to the adjournment]. Quhairfoir this day, viz., the xv day of October instant, wes assignit to the saidis Margaret and Walter for thair comperance, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit,

letters suld be direct simpliciter to put thame to the horne, as ane Act maid thairupoun beris; at the quhilk day thai being callit, and yit as of befoir, nouther be thame selffis nor na utheris in thair names comperand; my Lord Regentis Grace thairfore, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, to denunce the saidis Margaret and Walter Scot hir sone rebellis and put thame to the horne; and to escheit and inbring all thair movable gudis to our Soverane Lordis use for thair contemptioun.

Apud Halyrudhous, xvi die mensis Octobris, anno Domini j^{m}v^{c}lxxiii^{o}.

[Nicoll Reid in Leith becomes bound that the salt bought by James Friskin of Leith in Culrose shall be sold within this realme, and not exported. The cautioner shall also be answerable for the value and quantity of the said salt in case it be sold against order.]

Apud Halyruidhouse, xvii^{o} die mensis Octobris, anno Domini j^{m}v^{c}lxxiii^{o}.

Maister Johnne Balfouris band. The quhilk day, Maister Johne Balfour, burges of Edinburgh, being presentlie licencit be my Lord Regentis Grace to returne in France, bindis and oblissis him that he sall not returne and cum agane within Scotland without licence of our Soverane Lord and his Regent, had and obtenit to that effect, as the said Maister Johne will answer at his perrell upoun his lyff, heretage and sic uther thing as he may tyne in this realme. Sic subscribitur: Maister Johne Balfour.

Apud Halyrudhous, xx^{o} die mensis Octobris, anno Domini j^{m}v^{c}lxxiii^{o}.

[Walter Scott in Dysert becomes bound that the coals now laden in the crayer of Williame Hagy in Dysert shall not be exported.]

Apud Halyrudhous, xxvi die Octobris.

Sederunt—

Jacobus Dominus Regens.
Joannes Dominus Glammis Cancellarius.
Andreas Comes de Rothes.
Joannes Comes de Montroise.
Laurentius Dominus Oliphant.
Robertus Dominus Sympill.
Joannes Dominus Maxwell.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Advocatus.

Adam Borthuik. Anent our Soverane Lordis letters rasit at the instance of Adam Borthuik, makend mentioun;—that quhair it is not unknawin to my Lord Regentis Grace and Lordis of Secreit Counsall how that the said Adam, thre yeiris syne or thairby, at the begynning of the troublis, wes appointit to the keping of the Castell of Creichtoun at thair command, quhilk being trewlie kepit be him and certane men of weir, because thair haill expenssis

wes debursit be the said Adam, he menit him to my Lord Regentis Grace, quha tuik ordour with him anent his satisfactioun of the samyn; and now the said Adam is chargeit be our Soverane Lordis letteres, to rander and deliver the said place, with the haill guidis and geir being thairin, to Dame Jeane Gordoun Lady Bothuile, or ony utheris in hir name havand hir power, within certane schort space, under the pane of rebellioun, and failyeing thairof to put him to the horne; tending wranguslie to put him thairto, albeit the said Adam is content to rander and deliver the said place, with the haill guidis and geir being thairin, except sa mekle pertening to himself as his awin proper guidis, to the said Dame Jeane Gordoun or ony utheris in hir name, he being satisfeit for his panis in keping thairof during the said space; as alsua relevit of all danger that may ensew throw randering of the charter kist of the erldome of Bothuile, being thairin, at all handis quhome it efferis. And anent the charge gevin to Williame Diksoun, officiar of Creichtoun, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to heir and se ordour takin anent the hous abone mentionat, and deliverance thairof as appertenit, like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof; quhilkis being callit, and baith the saidis partiis comperand personalie, thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsale, and thai ryiplie avisit thairwith, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said Adam to exhybite and produce befoir his Grace and Counsall the said charter kist upoun Settirday nix to cum, the last day of October instant, and als ordanis the said Adam to retene and keip the said place in his awin handis and custody undeliverit, ay and quhill the sowme of thre scoir pundis money of this realme be contentit and pait to him, as for his satisfactioun for the keping of the same in tyme bipast. Williame Dicksoun.

Apud Halyrudhous, xxvii die mensis Octobris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—

Jacobus Dominus Regens.	Adam Episcopus Orchadensis.
Joannes Dominus Glammis Cancellarius.	Robertus Commendatarius Dunfermling.
Andreas Comes de Rothes.	Clericus Registri.
Joannes Dominus Maxwell.	Advocatus.

Anent our Soverane Lordis letters raisit at the instance of James Glen of the Bar, and Williame Glen his sone and apperand air, makand mentioun;— that quhair thai, according to the Act of Pacification, being repossest in the landis of Bar and utheris thair landis, quhairof thai wer dispossest the tyme of the lait troubles; and yit becaus thai war not sufferit to enter to thair saidis landis, with the crope thairon, thay menit thame to my Lord Regentis Grace and Lordis of Secreit Counsall upoun Robert Lord Sempill, to suffer thame enter alsweill to the crope as to the landis; and the James Glen of the Bar. Lord Sympill.

said Lord Regent and Lordis foirsaidis, for staying of trouble and cummer quhilk micht have followit, ordanit the cornis of the landis and manis of the Bar to be schorne, win, and stakkit, be the tenentis thairof, to remane unmedlit or disponit upoun be ony of the saidis partiis, quhill it wer first fund be my Lord Regentis Grace and Counsall to quhome the same suld appertene; according to the quhilk ordinance the saidis cornis of the saidis landis and manis are win be the saidis tenentis, and stakkit and put be thame in the barne and barneyard of the Bar, quhair thai yit remane; and albeit that, according to the said Pacificatioun, the samyn appertenis to the saidis complenaris, yit for obedience of the said ordinance thai mynde not to medle thairwith, befoir declaratioun of my Lord Regentis Grace and Lordis foirsaidis be gevin thairupoun. And anent the charge gevin to the said Robert Lord Sempill, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to heir and se the saidis haill cornis quhilkis grew upoun the saidis landis and manis of Bar this instant crope—now being within the barne and barneyaird thairof, or that is yit upoun the ground of the saidis landis,—be decernit be decreit of the said Regent and Counsall to appertene to the saidis complenaris, and thairfore to be deliverit to thame, to be disponit upoun as thair awin proper guidis; or ellis to schaw ane ressonable caus quhy the same suld not be done; with certificatioun to him and he failyeit, my Lord Regentis Grace and Lordis foirsaidis wald proceid and decerne in the mater abone specifiit, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, the saidis James Glen and Williame Glen his sone, comperand personalie, with Maister Strang thair prelocutor, and the said Robert Lord Sempill comperand alsua personalie with Mr. Henry Kinross his prelocutour; the ressonis and allegationis of baith the saidis partiis being hard, sene and considerit be my Lord Regentis Grace and Counsall, and thai ryplie avisit thairwith;—my Lord Regentis Grace, with avise of the saidis Lordis, decernis the aittis and beir sawin upoun the saidis landis and manis of Bar sen the said Pacificatioun, now being in the barne and barneyard thairof, or that is upoun the ground of the saidis landis, to appertene to the saidis James and Williame Glennis; and thairfore to be deliverit to thame, to be disponit upoun be thame as thair awin proper cornis; and being allegeit for the part of the said Robert Lord Semple that the teyndis of the saidis landis of Bar sould not be adjugeit to the saidis James and Williame of the said crop, becaus that the said Lord had tak of the Abbot and Convent of Paislay, off all and sindrie the teynd schaves of the parochin of Lochwinyeoch, of the samyn yeir, and that he had maid Elizabeth Sympill his dochter assignay thairto, in dew tyme as use is; and that thair wes inhibitioun maid lauchfullie befoir the leding of the cornis of the saidis landis of Bar, of this instant and yeir of God, to the haill parochinaris of the said parochin at the instance of the said Lord takkisman foirsaid, at the leist at the instance of the said Elizabeth his assignay, in dew tyme as use is. And becaus that the said Lord had the

laubouring of the ground of befoir, and the cornis thairof schorne in his name of this instant crop, he causit befoir the leding thairof teynd the cornis of the same, collect, gadder and tak the saidis teyndis apart be thame self quhair thai yit stand; and sua he, at the leist his said assignay, had and hes undoubtit richt to the saidis teindis schaves of the crop foirsaid. Quhilk allegeance being fund relevant be my Lord Regentis Grace and Counsall, wes admittit to the said Lordis probatioun, and the sext day of November nixtocum assignit to him for preving thairof; and ordanis him to have letters to summond sic witnessis and produce sic writtis and probatioun as he will use for preving of his said exceptioun agane the said day, under the pane of rebellioun and putting of thaim to the horne; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne; and als to warne the saidis James and Williame Glennis to compeir befoir my Lord Regentis Grace and Counsale the saidis day and place, to heir the saidis witnessis sworne and admittit to depone in the said matter, with intimatioun as efferis.

Mr. Williame Lummisden dimittit his office.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsall, comperit Maister Williame Lummisden administratour of Kelso, and renuncit and gaif ower in his Graces handis his office of administratour of the said Abbay; and attour wes content and consentit that his Grace constitute and ordane any uther persoun in the said office, to be usit be him in tyme cuming, als frelie as the said Maister Williame micht have in ony tymes bigane befoir this present renunciatioun.

Apud Halyrudhous, penultimo die mensis Octobris, anno Domini j^{m}v^{c}lxxiii^{o}.

Caution for the Pannis of Culross.

The quhilk day comperit Johne Blaw younger in Culross and Alexander Ysett thair, as cautioneris and souirteis, conjunctlie and severalie, for thame selffis and the rest of the lauboraris and occupiaris of the sevin salt pannis in the toun of Culross, and foure pannis in the toun of Fordell. The said Johne Blaw—havand commissioun of thame subscrivit be Johne Westmalter notar publict, at command of the saidis salteris,—byndis and oblissis thame, that thai and the saidis salteris sall sell salt to the subjectis and carearis of this realme of sufficient mett and stuff, according to the mett of Culross for tuelf ß. the boll; and sall on na wyise schip, girnell, nor transport, ony salt, unto sic tyme the subjectis be sufficientlie furneist. Quhilk being done, notwithstanding the Act of Parliament, it salbe lauchfull to thame or thair factouris, to transport and cary furth of this realme the rest of salt thai ar able to mak; provyding alwyise that the transportaris and carearis thairof salbe haldin to bring hame nyne unce of silver for every chalder contenit in thair cocquet, and deliver the same within aucht dayis efter thair arrivall to the Maister Cunyeour for the tyme, quha sall pay to thame for every unce efter the rate of xxx ß. of uther fyne silver; and als oblissis thame to stand at the articlis and injunctionis maid heiranent; and gif thai faill in ony poynt thairof, oblissis thame to

pay for the first falt xl pundis, for the secund fault foure scoir pundis, and for the thrid falt the tynsall and confiscatioun of thair haill guidis; in witnes quhairof the saidis cautioneris hes subscrivit this present Act with thair handis. Sic subscribitur: Johne Blaw younger Commissioner. Alexander Ezett.

Lady Seytoun. The quhilk day, anent the actioun and caus intentit and persewit be Dame Marie Peiris, relict of umquhile George Lord Seytoun, Robert and Marie Seytonis thair sone and dochter, aganis Johne Cuninghame eldar in Seytoun[1] . . . as at mair lenth is contenit in the proces led and deducit thairupoun; quhilk is concludit and avisit farder, probatioun renuncit, and nathing restand now bot decreit to be pronuncit thairin. Quhairfore my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing the foirsaidis persouns to compeir befoir thair Lordships the secund day of November nix to cum, to heir and se decreit gevin and pronuncit in the said actioun and caus secundum allegata et probata, conforme to the lawis and practik of this realme, with intimatioun as efferis.

Apud Halyrudhous, quarto die mensis Novembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—

Jacobus Dominus Regens.
Joannes Dominus Glammis Cancellarius.
Joannes Comes Montroise.
Robertus Dominus Boyd.
Willelmus Dominus Ruthven thesaurarius.
Robertus Dominus Sympill.
Joannes Dominus Hereis.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Clericus Justiciarie.
Advocatus.

Lady Seytoun. Anent our Soverane Lordis letters raisit at the instance of Dame Marie Peiris relict of umquhile George Lord Seytoun, Robert and Marie Seytounis, thair sone and dochter, makand mentioun.—That quhair efter lang proces and grit expenssis maid in the law, thai obtenit decreit of the Lordis of Sessioun with letters thairupoun, to poynd and appryise the reddiest guidis and geir of the tenentis of the landis of Myleis, Tranent, and Seytoun, for certane victuallis and prices thairof, mentionat in the saidis decreit and letters, for executioun quhairof diverse officiaris hes past and bene violentlie deforceit of befoir; and notwithstanding, upoun the sext day of October last bipast, Johne Gledstanis and Richard Bynning messingeris, with concurrence and assistence of Johnne Cokburne Sheref-depute of Hadingtoun, past for dew executioun of the saidis letters of poynding, quha apprehendit, poyndit and apprysit upoun the ground of the saidis landis of Seytoun diverse guidis, nolt and scheip appertening to the saidis

Tenentis of Seytoun.

[1] And the other tenants of Seyton specified on p. 287.

tenentis thairof; quha wer of mynde, like as thai wer bringand the samyn to the burgh of Edinburgh, to have bene apprisit thair, conforme to ane dispensatioun of the Lordis of Sessioun grantit to that effect; in the quhilk meintyme certane induellaris of the said toun of Seytoun, thay ar to say, Johne Cuninghame eldar, Johne Cuninghame youngar his sone, Johne Craig, Edmond Adesoun, Williame Thomsoun, Johne Dicksoun Smith, Nicoll Flek, Thomas Dempstar, Gilbert Tait, Williame Dempstar, David Notman, Johnne Scott, Johne Sleich, Richard Tod, James Adesoun, Robert Finder, Johne Michelsoun, George Campbell, and George Heislop, with thair wyffis, servandis and boyis, to the nowmer of thre scoir personis, bodin in feir of weir, with lang wappinnis, as speris, halbertis, and Jedburgh stalffis, togidder with ane grit nowmer of doggis, come violentlie upoun the saidis officiaris, and reft and tuik the saidis guidis fra thame, in hie and manifest contemptioun of our Soverane Lord, his authoritie and lawis, as the saidis letters of poynding and indorsatioun thairof beris; quhilkis haill personis ar tenentis to George Lord Seytoun, and defendit and mantenit be him, quhairthrow na executioun can be had aganis thame without my Lord Regentis Grace and Lordis of Secreit Counsall provide remeid. And anent the charge gevin to the saidis persounis, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall, at ane certane day bipast, to answer to the said complaint, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit, letters sould be direct simpliciter to put thame to the horne, like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the foirsaidis persounis comperand personalie, denyit the committing of the said deforcement; quhairfoir the samyn wes admittit to the saidis complenaris probatioun; and forder, anent the charge gevin to the saidis personis, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to heir and se decreit pronuncit in the said mater secundum allegata et probata, with intimatioun as efferit. The said Dame Marie Peiris and Johne Seytoun hir sone comperand personalie, and the foirsaidis persounis oftymes callit and not comperand, togidder with the depositionis of the officiaris and witnessis, contenit in the indorsatioun maid be thame upoun the said deforcement, being hard, sene and considerit, be my Lord Regentis Grace and Counsall, and thai ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, fyndis that the said Johne Cuninghame eldar, Johne Cuninghame youngar, Johne Diksoun smith, Johne Craig and Clement Adesoun, hes done wrang in the wrangus, violent and maisterfull deforceing of the saidis Johne Gledstanis and Richard Bynning messinger upoun the said sext day of October last bipast; and thairfore ordanis all thair movabile guidis to be escheit and inbrocht to our Soverane Lordis use for thair contemptioun, and thair personis to be punist at the will of his Majestie and my Lord Regentis Grace as efferis, conforme to the lawis of this realme, becaus the said deforcement being admittit to the saidis persewaris probatioun, and diverse termis assignit to thame for preving thairof, previt the same sufficientlie be

the saidis officiaris and witnessis contenit in the said indorsatioun, like as wes cleirlie understand to the saidis Lordis.

[31st August.—The owners of thirty-eight salt pans of Preston and Musselburgh give surety to supply Scotsmen at 8s. per boll. Not to export until they have satisfied Scotsmen, and to bring home six ounces of silver for chalder exported.[1]]

Lord Rosling. Anent our Soverane Lordis letters raisit at the instance of Sir William Sinclair of Rosling knicht, makand mentioun;—that quhair he wes chargeit to enter and present befoir my Lord Regentis Grace and Lordis of Secreit Counsall, upoun the xviii day of August last bipast, David Bell, callit the Young King, conforme to ane Act maid thairupoun, and under the pane of twa thowsand merkis contenit thairin; at the quhilk day, the said Sir Williame comperand, declarit that the said David Bell wes first lattin to
Lard Tynwald. band to Edward Maxwell of Tynwald, Mathe Bell, broder to the said David, entering in his place; efter the quhilk the said David Bell enterit of new to the said Sir Williame in ward upoun the said Edwardis band, that he suld not eschew nor brek ward; and als that he sould warrand and keip the said Sir William skaithles at the handis of our Soverane Lord and his authoritie, of all inconvenientis, skaith, danger and trouble that he suld incur thairthrow, under the pane of perjurie and defamatioun, lyke as at mair lenth is contenit in the said band. Efter consideratioun quhairof, my Lord Regentis Grace, with avise of the saidis Lordis, assignit to the said Sir Williame the xx day of September instant, to bring and present the said David Bell befoir thame, under the said pane of twa thowsand markis; with certificatioun gif he failye, he salbe decernit to incur the said pane, and letters of horning or poynding of his landis and guidis salbe direct for uptaking of the samyn; like as for his releif, the said Regent and Lordis foirsaidis ordanit him to have letters upoun the said Edward for presenting of the said David Bell to him, conforme to the said band, and under the panis contenit in the samyn, lyke as at mair lenth is contenit in ane Act of Secreit Counsall maid thairupoun. Quhilkis letters being dewlie execute upoun the said Edward Maxwell, and he chargeit to enter the said David Bell to the said Sir Williame, conforme thairto; notwithstanding he hes contempnandlie dissobeyit, quhairthrow ressoun cravis that the lyke executioun and pane war led aganis him, as hes or salbe usit aganis the said Sir Williame for his releif, seing be virtew of the said band he is oblist to releif him of all inconvenientis skayth and danger at the handis of our Soverane Lord and his authoritie. And anent the charge gevin to the said Edward Maxwell of Tynwald, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to heir and se him be decernit, to warrand releif and keip the said Sir Williame skaithles of all pane and dangear that he suld happin to incur at the handis of our Soverane Lord for the caus foirsaid; and to that effect to content and pay to him the said sowme of twa thow-

[1] Names in Index of excluded names.

sand merkis for his releif, conforme to the said band, and letters of horning or poynding of his landis and guidis, to be direct at the instance of the said Sir William for uptaking of the same in forme as efferis; or ellis to have schawin ane ressonable caus quhy the same suld not haif bene done; with certificatioun to him and he failyeit, the said Regent and Lordis foirsaidis wald decerne in maner abonewrittin, like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Sir William Sinclair comperand be Mr. David M°Gill his procuratour, and the said Edward Maxwell of Tynwald being personalie present, the ressonis and allegationis being hard and considderit of bayth the saidis parteis by my Lord Regentis Grace and Counsall, and thai ryplie avisit thairwith. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, decernis the said Edward to warrand, releif, and keip the said Sir Williame skaythles of all pane and danger that he sal happin to incur at the handis of our Soverane Lord and his authoritie for the caus foirsaid; and to that effect to content and pay to him the said sowme of twa thowsand markis for his releif, conforme to the said band; and ordanis letters of horning or poynding of his landis and guidis to be direct at the instance of the said Sir Williame for uptaking of the samyn, in forme as efferis.

Apud Halyrudhous, v^to^ die mensis Novembris, anno, etc. lxxiii°.

Sederunt—Domini ut in die predicto.

Erll of Huntlie.

Anent oure Soverane Lordis letters raisit at the instance of George Erll of Huntlie Lord Gordoun and Badyenoch, Williame Seytoun and Maister Johne Duff servandis to the said Erll, makand mentioun;—that quhair the tyme of the troublis occurring within this realme it is notoriouslie knawin ane greit part of the fructis and rentis of the commoun kirkis of Abirnethie, Alter, Fordice, and assumit thriddis of the Bischopriis of Abirdene, Murray; Abbay of Kinloss; Priorie of Monymusk, and certane utheris benefices within the Collectoreis of Abirdene and Murray, of the croppis and yeiris of God j^m^v^c^lxix, lxx, lxxi, and lxxii yeiris, wer intromettit with and uptakin be the said Erllis servandis, quhairof the speciall quantiteis victuallis and money, ar particularlie declarit and contenit in the rollis maid thairupoun, and schawin to my Lord Regentis Grace and Lordis of Secreit Counsall of befoir; quhilkis rentis of commoun kirkis and thriddis of benefices foirsaidis wer in the Erll of Huntlyis absence furth of this cuntrie, uptakin spendit and consumit on men of weir, throw occasioun and necessitie of the troublous tyme, sua that now it is not possible to thame to pay the same; and the procuratouris of the Kirk and thair collectouris within the boundis foirsaidis, clamand the rentis of the saidis commoun kirkis and thriddis of benefices of the croppis and yeiris abone written, and allegeing the saidis complenaris to be addebtit in pament thairof, hes be virtew of our Soverane Lordis letters causit charge the said Erll of Huntly and his servandis foirsaidis, to mak pament of the samin of the croppis and yeiris abonewrittin, within certane space efter the

Procuratouris of the Kirk.

charge, under the pane of rebellioun and putting of thame to the horne; and for allegeit non obedience intendis to caus put thame thairto; albeit in veritie, be the Pacificatioun maid and accordit at Perth the xxiii day of Februar last bipast, it is providit, tuecheing the thriddis our movable guidis, owther pertening to our Soverane Lord or his Majesteis subjectis, quhilkis his Hienes subjectis than returning to his Majesteis obedience hes takin fra the persounis professing the same obedience, or dampnageis or skaithis done and committit be thame sen the xv day of Junii, the yeir of God $j^{m}v^{c}lxvii$ yeiris, preceding the according to the abstinence, upoun the penult day of Julii, the yeir of God $j^{m}v^{c}lxxii$ yeiris, throw the commoun caus or ony thing depending thairupoun,—that the avise of the Quenis Majestie of England being had thairin, the samin suld be observit and fulfillit be my Lord Regentis Grace, with consent of Parliament; and alsua gif ony doubt or questioun suld happin to arryise upoun the said Pacificatioun or ony poynt thairof, the interpretatioun wes referrit to the judgement and declaratioun of my Lord Regentis Grace and Lordis of Secreit Counsall, as the articlis of the said Pacificatioun beris. And in respect thairof, upoun gude consideratioun, tending to the continewance of peax and quietnes and gude effect to follow on the said Pacificatioun, my Lord Regentis Grace and Lordis foirsaidis thairefter be Act of Secreit Counsall, dischargeit all judges within this realme fra all proceding in ony actionis or caussis mentionat in the article foirsaid in the said Pacificatioun, aganis the personis quhatsumevir propirlie comprehendit thairin—and all officiaris of armes, of executioun of ony letters of horning or poynding for thingis attemptit in the commoun caus—ay and quhill declaratour wer given thairanent in Parliament, as the Act maid thairupoun beris. And as toward that quhilk hes bene intromettit with and uptakin during the tyme of abstinence, thair is certane personis specialie nominat and appoyntit to cognosce and decide thairupoun, sua that this mater depending on the said Pacificatioun the samin propirlie and convenientlie appertenis to be ressonit and declarit befoir my Lord Regent and Lordis foirsaidis; and in the menetyme the letters foirsaidis and executioun thairof suld ceis and be suspendit simpliciter upoun the saidis complenaris, at the leist unto the tyme declaratour be gevin thairanent as said is, for the caussis foirsaidis. And anent the charge gevin to the Procuratouris of the Kirk and thair collectouris within the boundis abonewrittin, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, bringand with thame the saidis letters of horning or poynding usit and execute aganis the saidis complenaris at the instance of the saidis procuratouris of the Kirk and thair collectouris, to be sene and considerit be the said Regent and Lordis foirsaidis, and to heir and se the said mater as depending on the said Pacificatioun abone specifiit, ressonit in thair presence and ordour takin thairanent, as may stand with equitie and reasoun; and the saidis letters and executioun thairof to ceis and be suspendit upoun the saidis complenaris in tyme cuming, at leist quhill declaratour be gevin thairupoun in Parliament for the caussis foirsaidis and utheris to be proponit and allegeit, like as at mair

lenth is contenit in the saidis letters. The said George Erll of Huntlie comperand be Maisteris Alexander Sym and Henry Kinross his procuratouris, and Maisteris Clement Lytill and Richard Strang procuratouris for the Kirk and collectouris for the same, comperand alsua personalie; thair richtis, ressonis and allegationis being hard, sene and understand to the said Lord Regent and Lordis of Secreit Counsall foirsaidis, and thai ryiplie avisit thairwith.—My Lord Regentis Grace and Lordis of Secreit Counsall foirsaidis, fyndis and declaris that the saidis rentis of commoun kirkis, thriddis of benefices and utheris abone specifiit, intromettit with, and uptakin, be the saidis Erll of Huntlie, or utheris in his name, befoir the according to the said abstinence, upoun the penult day of Julii, the yeir of God $j^{m}v^{c}lxxii$ yeiris foirsaid, ar comprehendit under the said article of Pacificatioun abone writtin, bering that tuicheing the fructis or movable guidis owther pertening to his Hienes or his subjectis, quhilkis his subjectis than returning to his Majesties obedience had takin fra personis professand the same obedience, or dampnageis or skaythis done and committit be thame sen the said xv day of Junii, the yeir of God $j^{m}v^{c}lxvii$ yeiris, preceding the said according to the abstinence, throw the said commoun caus, or ony thing depending thairupoun, the avyise of the Quenis Majestie of England being had thairin, the same suld be observit and fulfillit be the said Lord Regent, be avise of Parliament; and als findis and declaris that the uther article of the same Pacificatioun, bering that the said Lord Regent suld mak sute to the Kirk at the General Assembly thairof for procuring of sic discharge of the saidis thriddis of benefices, commoun kirkis, and freir landis, as micht be had, is nouther exceptioun nor derogatioun to the formar article immediatlie befoir expremit; and thairfore suspendis the saidis letters of horning or poynding purchest be the saidis procuratouris of the Kirk or collectouris thairof upoun the said Erll of Hnntlie, his servandis abonewrittin, and utheris quhilkis answerit, obeyit, and maid pament to thame, of the saidis rentis of commoun kirkis, thriddis of benefices and utheris intromettitt with be thame during the said space, befoir the according to the said abstinence, upoun the day and yeir of God abone mentionat,—ay and quhill declaratour be gevin thairupoun in Parliament, upoun the Quenis Majestie of Englandis avise foirsaide. And as tuecheing that quhilk wes intromettit with and uptakin be the said Erll or utheris in his name during the tyme of the said abstinence, remittis the same to be cognoscit and decidit be the personis specialie nominat and appointit judgeis thairto be the said Pacificatioun, upoun the summondis alreddy intentit and execute at the instance of Maister George Hepburne thesaurar of Murray, and utheris beneficit men, tenentis, takkismen and parochynaris within the saidis boundis, aganis the said Erll of Huntlie, on the ane part, and the saidis procuratouris of the Kirk and collectouris thairof, on the uther part; and suspendis alsua the saidis letters, effect and proces of horne contenit thairin in that behalf, ay and quhill the saidis judgeis decisioun and declaratour be gevin and pronouncit thairupoun; reservand alwayis to the Kirk and thair collectouris the haill thriddis and rentis of

the collectoriis within the saidis boundis, off the yeiris of God abone specifiit, not contenit in the inventaris gevin in be the said Erll of Huntlie, notwithstanding ony allegeance that may be maid in tyme cuming of the deliverance of the sowmes contenit thairin to him, his collectouris or ony utheris in his name; and siclike reservand to thame, notwithstanding this present decreit of suspensioun, all the thridis and rentis of the saidis collectoriis quhilkis thai may be prove to haif bene restand in the handis of the possessouris of the saidis benefices, tenentis or takkismen thairof within the saidis boundis, unintromettit with be the saidis Erll of Huntlie his factouris, or utheris in his name, the said tyme of the according to the said abstinence, albeit the samyn be specifiit and contenit in the saidis inventaris; quhilk specificatioun the said Lord Regent and Lordis of Secreit Counsall foirsaidis will nor sall ony wyise prejudge the Kirk of samekle as at the tyme of the said abstinence wes restand untakin up.

Apud Halyrudhous, sexto Novembris, anno etc. lxxiii°.

[James Borthwick of Glengelt becomes lawborrows for John Ormiston son of the late Robert Ormiston, that Mr. Adam Johnstone Provost of Creichton and his servants shall be harmless of the said John, under the pain of 1000 marks, and Sir Walter Scott of Branxholme obliges himself to relieve James Borthwick of the premisses.]

Coldenknowis maid Warden.

Forsamekle as my Lord Regentis Grace, having regard and consideratioun of the havy troublis and skaithis sustenit be the peciable and gude subjectis, inhabitantis of the Merse, throw lang want of a Wardane,—be quhais cair and diligence thay micht be retenit and kepit in gude ordour, and recover satisfactioun and redress of the attemptattis committit upoun thame aganis the tennour of the peax be the subjectis of England, hes resolved, howsone it micht conveniently be,—to provide a Wardane for the said Eist Marche; and having experience of the trewth, diligence and circumspectioun of his weilbelovit Sir James Hume of Coldenknowis knycht, hes thocht convenient to mak and constitute him Wardane of the Eist Marche of the realme foranent England, with full power to use and exerce the said office, siclike and als frelie as ony utheris Wardanis occupiis thair offices of wardanry within this realme, as our Soverane Lordis commissioun maid to him thairupoun beris: thairfore ordanis letters to be direct, to mak publicatioun heirof be oppin proclamatioun at the marcat croces of Dunse, Lauder and utheris places neidfull, and to command and charge all and sindrie our Soverane Lordis liegis within the boundis of the said Eist Marche, to reddely answer and obey the said Sir James in the said office of Wardanry and all thingis belanging thairto; siclike as thai wer in use and accustumat to answer uther wardanis of befoir, as thai will answer upoun thair obedience at thair uttermaist charge and perrell, and under all hieast pane, charge and offence, that thai and ilkane of thame may committ and inrin aganis his Hienes in that part.

Apud Halyrudhous, nono die mensis Novembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—

Jacobus Dominus Regens.
Joannes Comes Montroise.
Robertus Dominus Sympill.
Henricus Dominus Sinclair
Magister Marschell.
Robertus Commendatarius Dunfermling.
Clericus Registri.
Computorum Rotulator.
Advocatus.

Bishop of Glasgowis ayth.

The quhilk day, Maister James Boyd, nominat, electit, and consecrat Archebischope of Glasgw, comperit in presence of my Lord Regentis Grace and Lordis of Secreit Counsall, and maid his ayth in maner following: I James now electit Archebischope of Glasgw utterly testifiis and declaris in my conscience, that the Kingis Majestie my Soverane Lord is the only lauchfull and supreme Governour of this realme, alsweill in thingis temporall as in the conservatioun and purgatioun of the religioun; and that na foreyn Prince, persoun, prelatt, state or potentate hes or aucht to have ony jurisdictioun, power, superioritie, pre-eminence or authoritie ecclesiasticall or spirituall within this realme; and thairfor I utterly renunce and forsaik all foreyn jurisdictionis, powers, superioriteis and authorities, and promissis that from this furth I sall and will beir fayth and trew allegeance to his Hienes, his airis and lauchfull successouris, and to my power sall assist and defend all jurisdictionis, privilegeis, pre-eminences and authoritie, grantit and belangand to his Hienes, his airis and lauchfull successouris, or united and annexit to his royall croun; and forder I acknawlege and confesse to have and hald the said Archebischoprik and possessionis of the same, under God only, of his Majestie and croun royall of this his realme; and for the saidis possessionis I do my homage presentlie unto your Grace in his Majesties name, and to the same, his airis and lauchfull successouris, salbe faythfull and trew: sa help me God.

Declaratioun anent the keping of the Castell of Glasgow.

Forsamekle as in the moneth of Maii, the yeir of God j^{m}v^{c}lxviii yeiris, the custody and keping of the Castell of Glasgow wes committit,—be umquhile James Erll of Murray Lord Abirnethy, Regent to our Soverane Lord, his realme and liegis for the tyme, with avise of the Lordis of his Hienes Privie Counsall,—to Sir Johne Stewart of Mynto knicht; and for keping of the same, thair wes assignit to him the victuall and money underwrittin,—that is to say, v chalderis malt, fyve chalderis meill, tua chalderis of horse corne, and tua hundreth markis money, of the first and reddiest fructis of the bischoprik of Glasgow,—the thrid thairof alwayis being first pait to the ministeris and utherwyise as the same wes appointit,—begynand the pament of the saidis victuallis and money, of the reddiest restis of the said bischoprik then awand of the tyme bigane, or of the Witsonday terme then likewyise bipast; and siclike yeirlie in tyme cuming at the termes

and tyme of pament usit and wount, ay and quhill he wer lauchfullie dischargeit of keping of the said Castell, as ane Act of Secreit Counsall maid thairupoun beris; quhairupoun letters of poynding wer directit for the mair spedie and suir pament of the saidis money and victuallis, to the effect that in defalt thairof, the said Castell suld not be in danger or unprovidit; decernand and declarand that nouther the officiaris of armes, nor yit the said Sir Johne or his servandis, intromettouris with the saidis money and victuallis, suld incur ony skaith or danger thairthrow in thair personis, landis, or gudis, nor suld not be callit or accusit for the same, criminallie nor civilie, be ony maner of way in tyme cuming; notwithstanding that James sumtyme Archebischope of Glasgow, wes not at that tyme (quhilk was the ix day of Junii, the yeir of God j^{m}v^{c}lxviii yeiris) denuncit our Soverane Lordis rebell, and put to the horne; dischargeing all judgeis and ministeris of lawis within the realme, of all calling and persewing of the saidis officiaris of armes, or of the said Sir Johne Stewart and his servandis, for the saidis victuallis and money, and of thair offices in that part. And now the Seate of Glasgw being lauchfully providit of ane Archbischope, the said Sir Johne Stewart hes bene chargeit and requiret to rander and deliver in his handis the said Castell of Glasgw, is content to obey the same charge, being lauchfullie and sufficientlie dischargeit of the said Castell be Act of the Previe Counsall, as he ressavit the same be the like ordour; quhilk being thocht ressonable, thairfore my Lord Regentis Grace, with avise of the Lordis of Previe Counsall, fyndis and declaris that the said Sir Johne, in ressaving and keping of the said Castell to oure Soverane Lordis use and behuif, hes trewlie and honorablie dischargeit his dewitie in tyme bigane; and the same Castell being randerit and deliverit be him to James now Archebischope of Glasgw, or his servandis in his name, according to the charge of our Soverane Lordis letters direct to that effect, exonouris, quiteclamis and dischargeis the said Sir Johne of the same Castell, and of the saidis victuallis and money, assignit and intromettit with and uptakin be him and his servandis in his name, alsweill befoir the denunciatioun to the horne as forfaltour of the said sumtyme Archebischope, as sensyne; decernand and declarand as of befoir, that nouther the officiaris of armes nor yit the said Sir Johne or his servandis, intromettouris with the saidis money and victuallis, sall incur ony skaith or danger thairthrow in thair personis, landis or guidis; nor sall not be callit or accusit for the same criminallie nor civilie be ony maner of way in tyme cuming, notwithstanding that the said sumtyme Archebischope wes not the tyme of the said Sir Johnis recept of the said Castell denuncit our Soverane Lordis [rebel] and put to the horne, or uther caus or occasioun quhatsumever; dischargeing all judges and minsteris of lawis present and to cum off all calling and persewing of the said Sir Johne and his servandis, or of the saidis officiaris of armes for the saidis Castell, victuallis and money, and of thair offices in that part for ever.

Apud Halyrudhous, decimo die mensis Novembris, anno Domini $j^{m}v^{c}lxxiii^{o}$.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsall be Adam Fowlartoun burges and Dene of Gild of Edinburgh for the tyme, aganis Williame Fairly burges of the said burgh, and the Provest and Baillies of Edinburgh for thair interesse, for productioun befoir his Grace and Lordis foirsaidis, off the said Williame Fairlyis clame and peticioun for foure pund and aucht unce of spanye ryallis clamit be him fra the said Adam, as at mair lenth is contenit in the said supplicatioun; baith the partiis comperand personalie, thair ressounis and allegationis being hard sene and understand, the Lordis of Secreit Counsall fyndis that the said actioun and caus propirlie to the decisioun of the Regentis Grace and Lordis of the Previe Counsall; and thairfore dischargeis the saidis Provest and Baillies of Edinburgh of all further proceeding thairin, and of thair offices in that part. Adam Fullartoun. Williame Fairlie.

Apud Pebillis, xviii die mensis Novembris, anno Domini $j^{m}v^{c}lxxiii^{o}$.

Sederunt—

Jacobus Dominus Regens.
Willelmus Dominus Ruthven Thesaurarius.
Robertus Dominus Boyd. Clericus Justiciarie.

Anent our Soverane Lordis letters, raisit at the instance of Dame Jane Hammiltoun, lauchfull dochter to James Duik of Chastellarault, makand mentioun;—that quhair Hew Erll of Eglintoun,—for troubling and molesting of hir tenentis, and uptaking of the dewiteis of certane hir landis quhairin sche is heretabillie infeft, aganis the tennour of oure Soverane Lordis protectioun grantit to hir the tyme of the troublis bipast, being callit befoir my Lord Regentis Grace and Lordis of Secreit Counsall, he wes ordourlie denuncit rebell and put to the horne, conforme to our said Soverane Lordis letters direct thairupoun; as alsua for non fulfilling of ane contract maid betuix thame, be the quhilk he wes ordanit to infeft the said Dame Jeane in ane annuelrent furth of his landis and barony of Eglishame, and als to infeft hir in diverse utheris his landis, he wes likewyise ordourlie denuncit rebell and put to the horne of lang tyme bigane; and in the moneth of Februare last bipast, he obtenit suspensioun of the saidis horningis upoun certane frivole caussis, sen quhilk tyme the caussis of the said suspensioun being at lenth ressonit, the said Dame Jeane hes obtenit decreittis of the Secreit Counsall and Sessioun aganis him, fynding hir saidis letters ordourlie procedit, and decerning the samin to have effect and to be put to forder executioun; and swa now it is fundin that the said processe of horne is ordourlie usit aganis him, and that he hes contempnandlie lyne under the danger thairof; nottheles he takand na regard of justice nor feir of punishement, still lyis under the said proces of horne, oppressing Dame Jehane Hammiltoun. Erll of Eglintoun.

the said Dame Jeane, hir landis and tenentis, sua that thay may not serve answer and obey hir, notwithstanding hir infeftment and diverse decreittis gevin aganis him thairupoun; and he being ane grit man and judge in the cuntrie quhair he duellis, sche can get na remeid nor redress aganis him be way of captioun or utherwyise, as he war ane privat persoun; and thairby is alluterly disapoyntit of the executioun of justice. And anent the charge gevin to the said Hew Erll of Eglintoun, to compeir befoir my Lordis Regentis Grace and Lordis of Secreit Counsall at ane certane day of lang tyme bipast, to heir and se letters decernit to be direct, chargeing him to pas and enter his persoun in ward within the Castell of Blaknes, thair to remane upoun his awin expenssis, ay and quhill he have dewlie and with effect fulfillit the command of the saidis decreittis and letters, and be ordourlie relaxt fra the said proces of horne, under the pane of tressoun for his rebellioun and contemptioun foirsaid; or ellis to have schawin ane ressonabill caus quhy the samin suld not be done; with certificatioun to him and he failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne in maner abone writtin, as at mair lenth is contenit in the saidis letters, executioun and indorsatioun of the samyn; quhilkis being callit diverse tymes befoir my Lord Regentis Grace and Counsall, and last of all upoun the xviii day of November instant, the said Dame Jeane comperand be Adame Moscrop hir procuratour; and the said Hew Erll of Eglintoun oftymes callit and not comperand, ordanis him to be warnit of new agane upoun aucht dayis warning, with certificatioun as is abone mentionat; and letters to be direct to that effect in forme as efferis.

Apud Pebillis, xxiii day of November, anno Domini j^{m}v^{c}lxxiii^{o}.

Proclamatioun for ingeving of all horningis to the Thesaurare.

Forsamekle as the dew course of justice hes bene greitlie hinderit throw all partis of this realme, be occasioun of the last troublis occurring within the same, and our subjectis at quhais instance decreittis and letters ar obtenit, frustrat of execution thairof, in respect the personis persewit ar wilfullie past to the horne, remanand thairat, and doand thair lefull erandis and bissines in the cuntrie, as gif thai wer oure Soverane Lordis frie liegis, in hie and manifest contemptioun of his Hienes authoritie and lawis, and to the evill exempill of utheris to do the like gif this be sufferit to remane unpunist; quhairof my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, is willing to tak ordour alsweill for punishing of the said contemptioun as to haif the effect and tennour of the saidis decreitis and letters obtemperit and obeyit; and thairfore ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of the heid burrowis of this realme and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie, mak publicatioun and intimatioun to all and sindrie his liegis, off my Lord Regentis Grace mynde and intentioun foirsaid; and als to command, charge, and require, all and sindrie the saidis liegis at quhais instance letters of horning ar purchest, upoun quhatsumevir persoun

or personis, owther in caussis criminall or civile, and that be virtew thairof ar denuncit rebellis and put to the horne, that thai with all diligence bring and present the same, with the executioun thairof, to Williame Lord Ruthven, his Hienes Thesaurar, to the effect that ordour may be takin for bringing of thame to his Majesties obedience, and satisfactioun of the saidis personis at quhais instance the saidis letters purchest, as said is, as accordis, assuring thame to be satisfeit thairanent, as thai sall have na just caus to complene; as alswa on the uther part, certifeing the personis denuncit rebellis to the horne, that gif thai obtene not thame selffis relaxt thairfra, with diligence conforme to the horne ordour usit in sic caussis, that thair guidis and geir salbe uptakin and intromettit with as escheit, and thair personis apprehendit and put in captivitie, thair to remane upoun thair awin expenssis, ay and quhill thai haif fulfillit the command and tennour of the saidis letters of horning purchest aganis thame as said is, and utherwyis punist as dissobedient personis contemptaris of his Hienes authoritie, conforme to the lawis of this realme.

Apud Pebillis, xxvi^to^ Novembris, anno Domini j^m^v^c^lxxiii^o^.

Sederunt—Domini ut in die predicto.

To denunce Sir Nicholl Tulloch.

The quhilk day, anent the charge gevin be virtew of our Soverane Lordis letters to Sir Nicoll Tulloch vicar of Ruthven, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer to ane complaint maid be Robert Dunbar of Durris, David Dunbar his sone and apparent air, Johnne Air, Andro Allane, and remanent burgessis and inhabitantis of the burgh of Fores,—quha hes profest in all tymes past, and as yit professis oure Soverane Lordis authoritie,—tuicheing the hie and manifest contempt done and committit in electing and chesing of Thomas Tulloch in Provest, Alexander Dunbar, Hew Urquhard, and Andro Tulloch in Baillies of the said burgh of Fores, with certane utheris in officiaris for this instant yeir; quhilkis altogidder hes bene and ar inimeis to oure Soverane Lord; never as yit reconsiliat be his Hienes pardoun. And in tyme of the said electioun for causing of the tolbuith dure of the said burgh be straitlie kepit be men in armour; sua that the saidis complenaris mycht not have interes for geving of vote to the electioun of officiaris as use is; and for non suffering Williame Urquhart electit in Provest, James Urquhard, Johne Muran and Johne Nicolsoun in Baillies, with sic uther officiaris as ar and hes bene obedient subjectis to his Hienes and his authoritie, to use and exerce thair offices according to thair electioun, bot makand stop trouble and impediment to thame thairin. And forder to have answerit upoun certane utheris crymes mentionat and contenit in the saidis letters, under the pane of rebellioun, and putting of thame to the horne; with certificatioun to thame and thai failyeit, utheris letters suld be direct simpliciter to put thame to the horne, as the saidis letters, executionis and indorsationis thairof, at mair lenth proportis.

Quhilkis being oft and diverse tymes callit, and the said Sir Nicoll nor an utheris in his name not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and denunce the said Sir Nicoll rebell and put him to the horne, and to escheit and inbring all his movable guidis to our Soverane Lordis use for his contemptioun.

Apud Peiblis, ultimo Novembris, anno Domini j^{m}v^{c}lxxiii^{o}.

A testimoniall produceit for Alexander Scott.

The quhilk day Johne Stewart of Tracquair knicht producit a testimoniall in presens of my Lord Regentis Grace and Lordis of Secreit Counsall, subscrivit be Patrik Andersoun Exhortar at the kirk of Innerlethein, testifeand that Alexander Scott had satisfeit the Kirk be publict repentance in presence of Johne Brand Commissioner of Tweddell, and certane of the eldaris of the said parochin, for the adultry committit be the said Alexander with ane servand woman, by his wyiff, as the said testimoniall, of the dait the xxviii day of November instant, at mair lenth proportis.

Apud Peiblis, tertio die mensis Decembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—Domini ut in die predicto.

Vallentynis direct.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secreit Counsall, vallentynes war direct, subscrivit be Sir Johne Bellenden of Auchinoule knycht, Clerk of our Soverane Lordis Justiciarie, to the personis underwrittin, chargeing thame to enter and present thair tenentis and servandis undermentionat befoir the Justice or his deputtis in the Tolbuith of Edinburgh the twentie day of Januar nix to cum, to underly the law for sic crymes as thai ar delaittit of, conforme to the generall band and under the panis contenit thairin, thay ar to say:

To Robert Scott of Thirlstane, a lettre, chargeing him to enter the said day, Ade Doddis, callit Pais Polk in Ramseclewis, and George Laidlaw thair;

Sym Scott of Gemmillisheuch, to enter Bob Inglis in Ettriksyde, and Thomas Littill, sone to Nicoll Littill;

Watt Scott in Hartwodmyris, to enter Thomas Lytill in Megehoip, Sym Littill his broder thair, Alexander Littill alsua his broder thair, Arche Scott callit the Muscatt, and Williame Portuous in Borthuikbra.

A letter wes deliverit to the said Watt Scott in Hartwodmyris in name of Williame Scott of Tuschelaw his fader, allegeit presentlie to be visiit with seiknes, to be deliverit be him to his said fader, chargeing him to enter Nicoll Lytill in Tuschelaw Mylne, Watt Littill and Thomas Littill his sonnis thair, James Laidlaw in Kingisgrane, Adam Laidlaw his broder, and Thomas Bellenden thair.

Sir Walter Scott of Branxholme knicht, Sir Walter Scott of Birkinsyde knicht, and Adame Scott of Deiphoip, to enter and present Williame Smaill in Andishop, Paitt Craufurd thair, Thomas Wilsoun thair, Robert Glencorce thair, David Scott callit Huttitill thair, Alexander Scott callit Huttitill thair, Alexander Scott callit Blak Sande in Deiphop, and David Grahame chipenute, thair;

Sir Walter Scott of Birkinsyde knicht, and Walter Scott of Dryhope, to enter Matho Littill in Laidop.

Malcolme Murray, sone to Patrik Murray of Fawlayhill, to enter James Inglis in Hawheid, and Thomas Inglis his broder thair.

David Armstrang of Ailmure, to enter Johne Tailyeour in Ailmure.

Apud Halyrudhous, nono die mensis Decembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—

Jacobus Dominus Regens.
Joannes Dominus Glammis Cancellarius.
Alexander Comes Glencarne.
Joannes Comes Montroise.
Comes de Rothes.
Robertus Dominus Boyd.
Andreas Dominus Uchiltrie.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Clericus Justiciarie.
Advocatus.

Anent our Soverane Lordis letters, raisit at the instance of Sir Walter Scott of Branxholme knicht, makand mentioun;—that quhair, in the tyme of umquhile James Erll of Murray, Regent to oure Soverane Lord, his realme and liegis, Raulph Ker wes deliverit to the Wardane of England for the bill of Newtoun, extending to auchtene scoir pundis stirling or thairby; and thairefter wes put and detenit in Haddokkishoill within the toun of Berwick, ay and quhill the said Sir Walter gaif band to Hary Wod Inglisheman in Hurcle, that the said Raulph suld keip his ward within the said toun, and on na wyise eschaip nor eschew quhill the said bill wer satisfeit, under the pane of pament of the same, of the said Sir Walteris awin guidis; notwithstanding, within sex oulkis or thairby last bipast, the said Raulphe unthankfullie hes brokin his ward, and presently in cumpany of Williame Lord Hay of Yester—like as he hes bene continewally sensyne; quhairthrow the said Sir Walteris band is forfaltit, and himself under danger of the foirsaid sowme, to his grit hurt and skaith, by the reproch and dishonour of his fame, lyke as he wilbe compellit to answer and redresse the said bill, without my Lord Regentis Grace and Lordis of Secreit Counsall provide remeid. And anent the charge gevin to the said Williame Lord Hay of Yester, to deliver the said Raulphe Ker to the said Sir Walter, to the effect he may use him for his releif of the said bill within xxiiii houris nixt efter the said charge, under the pane of rebellioun and putting of him to the horne; or ellis to compeir befoir my said Lord Regentis Grace and Bukclewch.

Lordis of Secreit Counsale this day, and schaw ane ressonabill caus quhy he sould not do the samyn; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. Quhilkis being callit, bayth the saidis partiis comperand personalie, the said Lord Yeistir denyit that the said Raulphe wes in his cumpany the tyme of the said charge, or xx dayis afoir; or that he wes ony wayis apprehensibill be him sensyne; and, notwithstanding, promeist upoun his fayth and honour to do diligence for apprehending and presenting of him befoir my Lord Regentis Grace and Counsall. Quhairfore my Lord Regentis Grace, with avise of the saidis Lordis, ordanis and commandis the said Lord Yester, of his awin consent, to use diligence for apprehending of the said Raulphe and bringing and presenting him befoir my Lord Regentis Grace and Counsall, as said is, certifeing him gif he ressett the said Raulphe heirefter, or utherwayis beis ressett, ressavit or kepit be ony otheris be his command and appoyntment, that he salbe apprehendit and kepit in ward quhill the said Raulphe be presentit and enterit, and forder salbe presewit for the said bill and redress thairof, be ordour of justice, as accordis.

Apud Edinburgh, undecimo die mensis Decembris, anno Domini j^{m}v^{c}lxxiii^{o}.

[John Cossar burgess of Edinburgh becomes cautioner that Sir Nicoll Tulloch sub-dean of Murray shall answer before the Council on 12th January to things laid to his charge.]

Apud Halyrudhous, xiii Decembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Sederunt—

Jacobus Dominus Regens.
Joannes Dominus Glammis Cancellarius.
Andreas Comes de Rothes.
Patricius Dominus Lyndesay.
Robertus Dominus Boyd.
Dominus Saltoun.
Adam Episcopus Orchadensis.
Robertus Commendatarius Dunfermling.
Marcus Commendatarius Newbottill.
Clericus Registri.
Clericus Justiciarie.
Advocatus.

Robert Jaksoun Inglisman. The quhilk day, anent the complaint made to my Lord Regentis Grace and Lordis of Secreit Counsall be Robert Jaksoun Inglisheman, marchand of Bervick, makand mentioun;—that quhair he hes travellit within this realme in honest and lauchfull merchandice upoun sufficient conduct of the Kingis Majestie and his Regentis in his name thir diverse yeiris bigane, without offence aganis the lawis; nevirtheles Robert Watsoun Custumer of

Robert Watsoun custumar.

Edinburgh callis and persewis the said Robert Jaksoun befoir the Provest and Baillies of Edinburgh, for the custum of certane Inglis claith brocht be him within this realme; quhilk claith he hes not only causit arreist, bot alsua his awin body, and be that meanis gritlie hinderis him fra his lauchfull bissines, and returning toward his duelling place. Howbeit, it is of veritie that he is licencit and privilegeit be virtew of his saulf conduct, quhairof the tyme is not yit outrun, to bring in Inglis waris in this realme, and to sell the same custum frie. And according to his said saulf conduct, the said Robert Watsoun Custumar hes alwayis allowit and lattin pas the claith and utheris guidis brocht be the said Robert Jaksoun in this realme, quhill, now of lait, that he hes baith arreistit his said claith and his awin body as said is; and swa, without my Lord Regentis Grace favour and equitie be extendit to him, a nichtbour and strangear quhilk at all tymes hes behavit himself honestlie, he wilbe wrakkit and undone attending upoun the defence of the said mater befoir the saidis Provest and Baillies of Edinburgh, quhilkis ar na judgeis competent to the interpetratioun and validitie of the Kingis Majesties privilege and saulf conduct foirsaid. And anent the charge gevin to the said Robert Watsoun, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to heir and se ordour takin anent the said complaint as appertenit,—lyke as at mair lenth is contenit in the same complaint, executioun and indorsatioun thairof. Quhilkis being callit, the said Robert Jaksoun comperand be Maister Thomas Craig his procuratour, and the said Robert Watsoun comperand personalie, with Mr. David Borthuik advocat to our Soverane Lord for his Hienes interes; the rychtis, ressonis, and allegationis being hard, sene, and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, fyndis that all clayth brocht in this realme be the said Robert Jaksoun sen the deceis of umquhile Johnne Erll of Mar Regent, aucht to pay custum conforme to the Act of Parliament maid thairanent, notwithstanding ony allegeance maid in the contrair, and assolyeis the said Robert Jaksoun simpliciter fra paying of ony custum for ony clayth brocht in be him in this realme, be virtew of the said saulfconduct, befoir the deceis of the said umquhile Johne Erll of Mar, and the avale and quantitie of Inglis guidis contenit in the inventure producit be the said Robert Watsoun, brocht in this realme be the said Robert Jaksoun sen the deceis of the said umquhile Erll, being denyit be the said Mr. Thomas Craig his procuratour; my Lord Regentis Grace thairfore, with avise of the saidis Lordis, assignis to the saidis Maister David Borthuik advocat, and Robert Watsoun, the xvj day of December instant, to produce sic witnessis and probatioun as thai will use for preving of the avale and quantitie of the said inventur; and ordanis letters to be direct, to command and charge sic personis, witnessis, as salbe gevin in bill, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall underwrittin, viz., Adam Bischope of Orknay, Robert Lord Boyd, Robert Commendatar of Dunfermling secretar to oure Soverane Lord, Maister James Makgill of Rankeloure

Nether clerk of his Hienes Register, Sir Johne Bellenden of Auchnoule knicht clerk of his Majesties Justiciarie, and Williame Dowglas of Quhittinghame, or ony twa of thame, to beir leill and suithfast witnessing in sa fer as thai knaw or salbe sperit at thame in the said mater, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, letters salbe direct simpliciter to put thame to the horne; the saidis Robert Jaksoun and Maister Thomas Craig his procuratour foirsaid warnit heirto apud acta.

Apud Halyrudhous, xiiii die Decembris, anno Domini j^{m}v^{c}lxxiii^{o}.

Charge on the Collectouris.

Forsamekle as letters wer direct, chargeing all and sindrie the collectouris of the thriddis of benefices within this realme, to compeir befoir the Lordis Auditouris of our Soverane Lordis Chekker the xxii day of December instant, for making of compt rekning and pament of thair intromissioun with the saidis thriddis sen thair last comptis, as the letters direct thairupoun at mair lenth proportis; notwithstanding my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, for certane ressonabill caussis and considerationis moving thame, hes thocht gude to continew the making and hering of the saidis comptis unto the xx day of Januare nixtocum; and ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, command and charge, yit as of befoir, the saidis Collectouris, to compeir, and thair cautionaris and souirteis conjunctlie and severalie, to entir and present thame befoir the saidis Lordis Auditouris of Chekker at Edinburgh, or quhair it sal happin thame to be for the tyme, the said xx day of Januare nixt, to mak compt, reknyng and payment of thair said intromissioun during the space foirsaid, and that thay have thair comptis maid and formit to be hard the said day, as thay will answer upoun thair perrell, and under the pane of rebellioun and putting of thame to the horne; and gif thay failye, the said day being bipast, to denunce the dissobeyaris oure Severane Lordis rebellis, and put thame to the horne. And to escheit and inbring all thair movabill gudis to his Majesteis use for thair contemptioun.

Band for Capitane Clerk.

Be it kend till all men be thir present letters, we undersubscriband to be bundin and obleist for us and oure airis and successouris, to our Soverane Lord, his Majesties Regent and successouris, in maner as followis;—that is to say, Forsamekle as our gude freind Capitane Johne Clerk, ane of our said Soverane Lordis trew and faithfull subjectis, hes bene diverse yeris last bipast detenit in strait presoun and captivitie be ane nobill and michtie Prince Friderick, Kyng of Denmark, quha will not sett the said Capitane Johne Clerk at libertie, except he haif our said Soverane Lordis obligatioun gevin unto him, promitting that the said Johne Clerk capitane, beand relevit and put at libertie, sall na wyise thairefter attempt ony violence or hostilitie aganis the said noble Prince Kyng of Denmarkis subjectis, nor thair guidis, provyding alsua be our said Soveranis obligatioun, that gif it sal happin the said Capitane Johne Clerk attempt, wirk or do ony uther

thing contrair to the premissis, oure said Soverane Lord sall satisfie the complenaris and utheris offendit and dampnifiit thairby, and sall alsua utherwyis puneis the said attemptattis. Quhilk obligatioun ane nobill and michtie Prince James Erll of Mortoun Lord of Dalkeith, etc., grit Admirall of this realme, Regent to our Soverane Lord, his realme and liegis, hes in his Majesties name, at our ernistfull desyre, grantit and maid to the said King of Denmark, in maner as is abone specifiit, as at mair lenth is contenit thairintill. Thairfore we, be the persounis under subscrivand, as cautioneris and souirties for the said Johnne Clerk, be the tennour heirof bindis and oblissis us, our airis, successouris, executouris and assignais, be the faith in our bodyis, conjunctlie and severaly, to our said Soverane Lord, his successouris and Regent foirsaid, that the said Capitane Johne Clerk, beand relevit and sett at libertie as said is, that he sall, with all possible diligence thairefter repair within this realme, and sall committ na maner of violence, hostilitie, or uther attemptat aganis the said King of Denmarkis liegis, subjectis, or thair guidis, efter his releif and setting at liberty, as said is; nor na way sall violat oure said Soveranis promeis and obligatioun foirsaid in ony point thairof. And forder, we, the cautioneris undersubscrivand, our airis, successouris, executouris and assignais, sall releve, warrand, freith, and keip skaithles, our said Soverane Lord, his Regent and successouris, realme and liegis, anent all poyntis and passis of the said obligatioun, at the handis of the said King of Denmark, his successouris, realme and liegis, and all utheris quhome it efferis. And at the cuming of the said Capitane within this realme, he sall gif uther grittar and mair responsall plegeis and souirteis to our said Soverane Lord, his Hienes successouris and Regent, for observing of the premissis and every poynt thairof; and for the warranding, releving and keping skaythles of oure said Soverane Lord, his successouris, Regent, his Hienes liegis and subjectis, landis and guidis at the handis of the said King of Denmark, his liegis and subjectis, and all utheris quhome it efferis, frome all danger, hurt, inconvenientis, or dampnageis that may ensew or follow upoun thame be virtew of the said obligatioun; or that may be imput or acclamit thairby be the said King of Denmark, his liegis and subjectis, aganis our said Soverane Lord, his successouris, Regent or liegis be ony occasioun or attemptat that sal happin to be committit heirefter be the said Capitane Johne Clerk, or ony utheris of his causing, command, assistance and ratihabitoun aganis the said nobill Prince Frederik King of Denmark, his liegis, subjectis and thair guidis. And we the same cautioneris, be thir presentis, bindis and oblissis us, our airis, successouris, executouris and assignayis, conjunctlie and severalie, as cautioneris for the said Capitane Johne Clerk, to observe and keip every poynt of the premissis, and to stand cautioun bund for observing thairof, ay and quhill our said Soverane Lord resavis uther grittar and mair substantious souirtie and cautioun for observing of the samin, and discharge us solempnitly of this our band and cautioun. In witness of the quhilk thing we have subscrivit thir presentis with oure handis as followis: at Edinburgh, Astinchell, the Inche in Galloway and the Kirk in the same

Inche, the fyftene day of November, the fyft and fouretene dayis of December respective, the yeir of God j^{m}v^{c} thre scoir threttene yeiris, befoir thir witnessis respective: Maister Johne Prestoune, Allane Rogar, and James Donaldsoun, burgessis of Edinburgh; Alexander Vaus servitoure to the Lard of Barrinbarroch, James Kennedy broder to the Lard of Bargany, Allane Cathcart his servand, Johne Crawfurde and Johne Schaw servitouris to the Erll of Cassillis, Thomas Maister of Cassillis and Robert Fergussoun. Sic subscribitur: Cassillis. Alexander Stewart of Garthleis knycht. Thomas Kennedy of Bargany. Mr. Patrik Vaus of Barrinbarroch with my hand. Uchreid Makdowall of Garthland. Hew Kennedy of Gevan knycht.

[Holyrood House, 15th December.[1]]

Sederunt—Domini ut in die predicto.

Robert Jaksoun.

Robert Watsoun.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Robert Jaksoun Inglisheman, marchand of Bervick . . .[2] And decernis the said Robert Jaksoun and Johne Dowgall his souirtie to content and pay to the said Robert Watsoun Custumar foirsaid, the sowme of ane hundreth twentie thre pundis xii ß. money of this realme, as for the custum of the Inglis clayth brocht in this realme be the said Robert Jaksoun sen the deceis of the said umquhile Erll of Mar Regent, comptand xxx ₰. for ilk pundis worth, conforme to the Act of Parliament; togidder with the custum of the saidis ten pecis of Inglis clayth arreistit in the handis of Charlis Geddes burges of Edinburgh, according to the Act of Parliament, becaus the inventure of the saidis Inglis guidis brocht in this realme be the said Robert Jaksoun, sen the deceis of the said umquhile Erll of Mar Regent, being producit be the said Robert Watsoun, and the avale and quantitie thairof denyit be the said Maister Thomas Craig, the same wes referit to the probatioun of the said Robert and oure Soverane Lordis Advocat, and a terme being assignit for probatioun thairof, thay promissit the same sufficientlie, as wes cleirlie understand to my Lord Regentis Grace and Counsall foirsaidis; and assoilzeis the said Robert Jaksoun and his said souirtie fra the pament of the custum clamit for the clayth brocht in this realme be the said Robert Jaksoun be virtu of the said saulf conduct, befoir the deceis of the said Erll of Mar Regent.

For answering of the Generall Collectour of the frutis of the bishopric of Abirdene.

Anent the charge gevin be virtu of our Soverane Lordis letters raisit at the instance of Maister David Borthuik of Aulderstoun, his Hienes advocat, to Williame Bischope of Abirdene, to compeir befoir his Hienes, his richt traist cousing James Erll of Mortoun Lord of Dalkeith, Regent to his Majestie, his Realme and liegis, and Lordis of Secrete Counsall, at ane certane day bipast, with continewatioun of dayis, to heir and se letters be

[1] From this point, the minute of the day and place of meeting will be abbreviated and printed on the margin as above, unless any peculiarity in the entry in the Register may render it desirable to print these particulars in full.

[2] Here follows the narrative given on p. 308 down to "allegeance maid in the contrair," p. 309.

decernit to be direct and gevin simpliciter, chargeing all and sindrie the fewaris, firmoraris, tenentis, takkismen, parochynaris, and all utheris, intromettouris with the fructis of the said Bischoprik—as vacand ipso facto—and all utheris addebtit in pament thairof whatsumevir, to reddely answer, intend, obey, and mak thankfull pament to Robert Lord Boyd Collectour Generall, and to his officiaris deput under him, and to nane utheris, off all and sindrie the haill fructis, rentis, teindis, teindschavis and emolumentis, of all landis and kirkis, pertening to the said Bischoprik as vacand ipso facto, of the crop and yeir of God j^{m}v^{c}lxxiii yeiris instant, and siclike yeirlie in tyme cuming during his lyftyme, efter the forme of the Act of Parliament; under the pane of rebellioun and putting of thame to the horne, and gif thai failye to put thame to the horne, and gif neid be to poynd and distrenye thairfore; or ellis to allege ane ressonable caus quhy the same suld not be done; with certificatioun and he failyeit, letters suld be direct simpliciter in maner and to the effect foirsaid, like as at mair lenth is contenit in the saidis letters. The said Maister David Borthuik Advocat to our Soverane Lord comperand personalie, and the said Williame Bischope of Abirdene comperand likewyise personalie, thair rychtis, ressonis, and allegationis being hard, sene and considerit be my Lord Regentis Grace and Lordis of Secreit Counsall foirsaidis, and thai ryiplie avisit thairwith; decernis and ordanis letters to be direct and gevin simpliciter, chargeing all and sindrie, the fewaris, firmoraris, tenentis, takkismen, parochynneris and utheris intromettouris with the fructis of the said Bischoprik, and all utheris addebtit in pament thairof quhatsumever, to reddely answer, intend, obey and mak thankfull pament to the said Robert Lord Boyd Collectour Generall, and to his officiaris deput under him—and to nane utheris—off all and sindry the saidis haill fructis, rentis, teyndis, teynd schaves and emolumentis of the saidis landis and kirkis pertening to the said Bischoprik as vacand ipso facto, of the said crope and yeir of God j^{m}v^{c}lxxiii yeiris instant, and siclike yeirlie in tyme cuming during the lyvetyme of the said Bischope, to the effect abonewrittin, efter the forme of the Act of Parliament, under the pane of rebellioun and putting of thame to the horne; and gif thai failye, to put thame to the horne, and gif neid be, to poynd and distrenye thairfore, becaus the said Bischope being chargeit and comperand, schew na ressonabill caus in the contrair, as wes cleirly understand to my Lord Regentis [Grace] and Lordis foirsaidis.

Mr. Johnne Spottiswod.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Maister Johnne Spottiswod Superintendent of Lowthiane, makand mentioun;—That quhair, according to the Act of Parliament maid for designatioun of manssis and gleibbis, upoun the xxi day of October instant he past with Maister Williame Strang minister at Kirklistoun, thair to have marchit, methit, and designit, the manse and four aker of land of the gleib thairof, to the said minister; and havand the mettaris present George Lord Seytoun, accumpanyit with a cumpany of

Lord Seytoun.

his servandis, with culveringis and utheris wappynnis, said and allegeit, that the said kirkland pertenit to him of auld in few, and that the Act of Parliament culd not stryke upoun his auld fewis; the said Superintendent desyrit gif he wald refer the interpretatioun of the Act to my Lord Regentis Grace and Lordis that maid the same, and in the meintyme suffer the land to be meitt;—the said Lord Seytoun answerit, he wald suffer na land to be meitt; he knew the Act als weill as ony did. The said Mr. Johne Spottiswod said the Act wald caus him be satisfeit for the foure akeris be the Bischope of Sanctandorois, and thairfore he micht suffer the land to be mett; the said George Lord Seytoun answerit he wald be recompensit for his land or he sufferit ony to be mett. Fynalie the said Superintendent desyrit gentillie that he wald suffer it to be mett, and said the metting tuik nane of the land away, quha answerit he wald suffer na land to be mett, and sua unles he had bene partie to haif fochin with him, the said Superintendent culd gett na land mett. And anent the charge gevin to the said George Lord Seytoun, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to answer to this complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters suld be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis complaint, executioun and indorsatioun thairof. The said Mr. Johne Spottiswod comperand be the said Mr. Williame Strang minister at Kirklistoun, and the said George Lord Seytoun oftymes callit, and it being fund that he had na place to stand in judgement be reasoun of the sentence of excommunicatioun execute aganis him; thairfore my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said George Lord Seytoun, to suffer and permitt foure akeris of the saidis landis of Kirklistoun to be marchit, methit, and mett, for manse and gleib to the said minister, conforme to the said Act, and to mak na stop, trouble nor impediment to the mettouris thairof, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairof, to denunce him our Soverane Lordis rebell and put him to the horne; and to escheit and inbring all his movable guidis to his Hienes use for his contemptioun.

[15th December.] [Sir Walter Scott of Branxholme and John Tweedy tutor of Drummelyear oblige themselves that Margaret Turnbull relict of David Ellot, in Chalmerlane Newton, and Walter Scott her son, shall answer before the Justice for things laid to their charge, and that thay shall not molest Gawin Ellot in Baillieley and Jean Scott his spouse, their bairns or servants.]

Burgessis of Fores. Anent our Soverane Lordis letters raisit at the instance of Robert Dunbar of Durris, David Dunbar his sone and apparent air, Johne Air, Andro Allane and remanent Burgessis and inhabitantis of the burgh of Fores, quha hes profest in all tymes past and as yit professis oure Soverane Lordis authoritie, makand mentioun;—That quhair my Lord Regentis Grace, understanding that the last yeir Alexander Dunbar of Cumnok

intrusit himself be pretendit electioun in the office of Provestrie of the said burgh, lyke as certane utheris of his factioun and inputting usurpit the office of Baillies within the same, doand under pretence of their saidis offices that lay into thame, aganis oure Soverane Lord and his authoritie, to quhais obedience thai ar not reconsiliat. And my Lord Regentis Grace, being willing and cairfull to have the said burgh committit under the reulling and command of sic Magistraitis as war maist obedient and upricht to his Majestie, directit letters, chargeing the Counsall, burgessis, inhabitantis, and communitie of the said Burgh, to elect and cheis sic personis in Provest, Baillies and Counsall of the said burgh for this yeir than nix to cum as ar of the maist honest and worthy burgessis and inhabitantis, and quhilkis hes continewit in thair dewtifull obedience to our Soverane Lord, dischargeing the saidis personis of all electing of ony quhilkis hes maid defectioun fra his Hienes obedience, and ar not reconsiliat thairto, be ressaving of hir Majesties favour and pardone, under the pane of rebellioun and putting of the dissobeyaris to the horne. At command of the quhilkis letters, James Ord messinger past to the marcat croce of the said burgh, and thair, upoun the twelft day of September last bipast, be oppin proclamatioun, commandit and chargeit the Counsall, burgessis and inhabitantis of the said burgh in generall,—lyke as als upoun the fyft day of October instant Johne Cuming, siclike messinger, commandit and chargeit thame in speciall, being convenit within the Tolbuith thairof for the tyme,—to elect and cheis sic personis in Provest, Baillies, Counsall and officiaris as ar contenit in the saidis letters, as the same letters, executioun and indorsatioun thairof beris. Notwithstanding the quhilkis letters, the said Alexander Dunbar of Cumnok knycht, Walter Kynnard of Cobin, Williame Brand, Adam Patersoun, Alexander Dunbar, James Andersoun, Johne Patersoun, Johne Dunbar, Archibald Broun, Alexander Wauche, Thomas Dowgall, Leonard Thomsoun, Michaell Tulloch, James Rasoun, Johne Robertsoun, Robert Henry, and certane utheris, quhilkis hes opponit thame aganis our Soverane Lord and his authoritie, as yit not reconsiliat thairto, convenit within the said Tolbuith, and on thair pretendit maner electit and chesit Thomas Tulloch in Provest, Alexander Dunbar, Hew Urquhard and Andro Tulloch in Baillies, with certane utheris in officiaris, quhilkis altogidder hes bene and ar inimeis to his Majestie, never as yit reconciliat be his Hienes pardoun; and in tyme of the said electioun causit the said Tolbuith dur be straitlie kepit be men in armour, swa that the saidis complenaris and utheris inhabitantis within the said burgh, professouris of his Majesties authoritie, desyrand enteres to haif gevin vote to the electioun of the Magistrattis and officiaris, according to the command of the saidis letters, wes alluterly debarrit thairfra as memberis forfaltit be thame the tyme of thair pretendit authoritie, for not assisting to thame in thair rebellioun aganis his Hienes authoritie; and thairthrow not only hes dissobeyit the command of the saidis letters, bot als in manifest contempt thairof, hes chosin sic personis in officiaris as ar expreslie inhibit to be chosin or electit,—as autentik instrumentis takin thairupoun beris; and yit the

Thomas Tulloch and utheris.

saidis complenaris and the remanent gude subjectis of the said burgh, for obedience of the saidis letters, for thair part convenit within the duelling hous of Williame Urquhard of Burrisyardis, havand na uther sure place to haif convenit in, and thair electit and chesit the said Williame Urquhard in Provest, James Urquhard, Johne Murane, and Johne Nicolsoun in Baillies of the said Burgh, with sic uther officiaris as hes bene and ar obedient subjectis to our Soverane Lord and his authoritie. Quhilkis the saidis pretendit Provest and Baillies, be assistence and forteficatioun of the said Alexander Dunbar of Cumnok, Alexander Dunbar of Coinyey, George Dunbar of Navers, and Patrik Dunbar, sone to the said Alexander Dunbar of Coinye, on na wyise will suffer nor permitt to use and exerce thair offices according to thair electioun, nor yit to remane within the said burgh as officiaris. And for probation of thair creweltie sen thair electioun, ane callit Jasper Thane, servand to the said Williame Urquhard, being passand with his maister upoun the gait of the said burgh, wes schott with ane culvering in the craig furth of the said Alexander Dunbaris ludgeing; and yit the said Alexander Dunbar, not content heirwith, hes takin twa of the officiaris chosin be the saidis complenaris, callit Andro Brody and Johne Copland, and hes put thame in sure firmance and captivitie within his duelling hous within the said burgh, quhairin as yit he detenis thame in strait presoun; and sua thai quha hes obeyit his Majesties authoritie ar in na better cace nor thai war the tyme of the lait troublis, but rather in war; quhairas thai for thair gude behaviour luukit for quietnes and rest; and the saidis pretendit Provest and Baillies for fortefeing of thair saidis offices and approbatioun of thair electioun, upoun thair narrative hes surreptiouslie purchest letters be deliverance of the Lordis of Counsall and Sessioun, chargeing the inhabitantis of the said Burgh to acknawlege thame in thair offices, and to obey thame as lauchfull magistrattis of the said Burgh; and sua without my Lord Regentis Grace put to hand, be thair continewance in thair usurpit offices, the saidis complenaris ar na wyis to have lyf within the same. And anent the charge gevin to the saidis Thomas Tulloch pretendit Provest, Alexander Dunbar—broder sone to the said Alexander Dunbar of Cumnok, Hew Urquhard, and Andro Tulloch, pretendit Baillies of the said burgh, and the personis electouris of thame in thair saidis offices, and the said Alexander Dunbar of Cumnok, Alexander Dunbar of Conye, George Dunbar of Navers, and Patrik Dunbar sone to the said Alexander Dunbar of Conye, to compeir befoir my Lord Regentis Grace and Lordis foirsaidis, upoun ane certane day bigane, to answer to this complaint and to the hie and manifest contemptioun done be thame to our Soverane Lord and his Hienes Counsall in maner abone writtin, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit, letters suld be direct simpliciter to put thame to the horne; and als to heir and se thame dischargeit simpliciter of all using of thair pretendit offices in tyme cuming, lyke as at mair lenth is contenit in the saidis letters, executiounis and indorsationis thairof. Quhilkis being callit, comperit Alexander Urquhard, persoun of

Olrig, in name and behalf of the saidis complenaris, and the saidis Alexander Dunbar, broder sone to the said Alexander Dunbar of Cumnok, Thomas Tulloch, David Dunbar, Robert Tulloch, Johne Carrayth, James Henry, Hew Urquhard, Patrik Ogilvy, and Johne Duff, comperand personaly; and the remanent personis complenit upoun oftymes callit and not comperand; the ressonis and allegationis of the partiis present being hard and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said Williame Urquhard, electit in Provest, James Urquhard, Johne Murane, and Johne Nicolsoun in Baillies, with sic utheris officiaris of the said burgh electit be thame, to use and exerce thair offices within the samyn, according to thair electioun for this present yeir; and ordanis letters to be direct, chargeing the burgessis, inhabitantis, and communitie of the said burgh to assist and obey the saidis Provest and Baillies in all thingis concerning thair offices during the tyme thairof, and to nane utheris, as thai will answer upoun thair allegeance and obedience to our Soverane Lord, at thair uttermaist charge and perrell, dischargeing the saidis Thomas Tulloch, Alexander Dunbar and utheris thair collegis abonewrittin, of all using of the same office be virtew of thair pretendit electioun for the said yeir, and of thair offices in that part.

[John Earl of Montrose surety that Thomas Fleming, brother of John Fleming, sometime of Boghall, shall conduct himself as a dutiful and loyal subject in time coming, under a penalty of £2000.] [Holyrood House, 16th December.]

[Sir John Gordon of Lochinvar becomes bound that Patrick Fleming and the other keepers of the fortress of Congilton shall faithfully keep it for the King, delivering the same within six days after they be required, and making the house accessible to the royal officers; the "stuff" stored in the "girnel" shall also be safely kept, no impediment being made in the distribution thereof; Earl of Montrose to relieve the Laird of Lochinvar of his surety.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Andreas Comes de Rothes. Gulielmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Justiciarie. [Holyrood House, 17th December.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Maister David Borthuik of Lochill, Advocat to our Soverane Lord;—makand mentioun. That quhair as he is informit Maister Johne Moscrop advocat, Katherene Littill his spous, and Patrik Moscrop thair sone and apparent air, hes be thame selffis, at the leist utheris in thair names, purchest ane signature of remissioun to thame for certane crymes of tressoun contenit thairin, and for all and sindrie utheris actionis, crymes, offences, and attemptattis quhatsumevir, committit be the saidis Kingis Advocat. Mr. Johnne Moscrop.

personis, or ony of thame, in ony tymes bigane—tressoun in our Soverane Lordis persoun, the murthure of his Hienes twa Regentis for the tyme, fiyre raising, murthur, incest, revesing of wemen, thift and recept of thift allanerlie except—as the said signature of remissioun at mair lenth beris; quhilk is not past the register in the buikis of Thesaurarie, bot preceptis under the signet and privie seill ar past upoun the same, and ane remissioun to pas the greit seill. Howbeit, in veritie, the said signature of remissioun is purchest and impetrat surreptiouslie, and be circumventioun of my Lord Regentis Grace, for diverse grit crymes of tressoun and utheris for the quhilk his Grace usis not to grant remissioun to ony sic persounis, bot exceptis all sic crymes in all remissionis, and namelie for art and part of the crewell and schamefull murthur of our Soverane Lordis fader; furnesing of silver, layit mettell, or utheris to the furthsetting of the adulterat and fals cunye in the Castell of Edinburgh; witchecraft; and utheris haynous crymes;—and thairfore the said signature of remissioun and all preceptis past thairupoun aucht to be suspendit and decernit of nane avale, force, nor effect in tyme cuming. And anent the charge gevin to the said Maister Johnne Moscrop, his spous and sone foirsaid, and James Millar, kepar of the Greit Seill, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to exhibit and produce the said signature of remissioun, with all preceptis past thairupoun, and remissioun writtin to the Grit Seill, to be sene and considerit be his Grace and Counsall, and to heir and se the same signature of remissioun as purchest surreptiouslie and be circumventioun of my Lord Regentis Grace as said is, with all preceptis past thairupoun be suspendit simpliciter, and decernit of nane avale, force, nor effect in tyme cuming, and to be deleit furth of the Registeris; or ellis to allege ane ressonable caus quhy the same suld not be done, with certificatioun to thame and thay failyeit, the same signature, with all preceptis past thairupoun, suld be suspendit simpliciter and decernit of nane avale, force, nor effect, and the same deleit furth of the Registeris as said is; lyke as at mair lenth is contenit in the said complaint, executioun, and indorsatioun thairof. Quhilkis being callit, comperit personalie the said Maister Johne Moscrope for himself, and in name of the said Katherene his spous, and Patrick thair sone; and the saidis Maister David Borthuik and James Millar being alsua personalie present, the said James Millar producit ane precept past the Previe Seill upoun the said remissioun direct to the Chancellarie, as alsua the same remissioun reddy to pas the Grit Seill; quhilkis with the ressonis and allegationis of the said Mr. Johne being hard, sene, and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, decernis the said signature of remissioun, with all preceptis past thairupoun, to be suspendit and dischargeit simpliciter, and to be of nane avale, force, nor effect in tyme cuming; and ordanis the same to be deleit furth of the Registeris, sua that na memory remane thairof, and as gif the same had never bene past of befoir.

[Andrew Murray of Arngosk, Thomas Morton of Carmo younger, David Kinnear younger of that Ilk, and Thomas Meldrum of Eden, become cautioners that Coline M^cCainzie of Kintale shall remain within four miles of Edinburgh, and eastward as far as the town of Dunbar, until relieved; and that he shall answer before the Council on forty-eight hours' warning for things laid to his charge, under penalty of ten thousand pounds; Patrick Lord Lindesay of the Byres to relieve the cautioners, Colin himself freeing Lord Lindesay of his surety; and in special Lord Lindsay and David Vaus in Leith oblige them to relieve Meldrum of Eden.]

[Holyrood House, 18th December.] Lard of Prestoun.

Anent the supplicatioun presentit to my Lord Regantis Grace and Lordis of Secreit Counsall be David Hammiltoun of Fyngaltoun knicht, makand mentioun;—that quhair it is statute and ordanit that all sic as hes returnit to oure Soverane Lord, and gevin thair obedience thairto, and fundin cautioun thairupoun, suld enjoy the like favour, benefites, privileges and conditionis as ar contenit in the Pacificatioun maid and concludit at Perth the xxiii day of Februare, the yeir of God j^m v^c lxxii yeiris, according to the quhilk the said David be his letters obligatouris hes fundin souirtie that be his bairnis freindis and servandis propirlie depending upoun him, sall trewlie observe fulfill and keip the said Pacificatioun, and all claussis, articlis and conditionis thairof concerning him, under the pane of ten thowsand markis; quhilkis letters obligatouris ar actit and registrat in the buikis of Counsall, and ane decreit of the Lordis thairof interponit thairto, as the samyn schawin to my Lord Regentis Grace and Counsall beris; notwithstanding the quhilkis the said Davidis name and his bairnis names ar negligentlie forgat and omittit furth of the said Pacificatioun, and as yit not insert thairin, not in thair defalt; maist humilie requyring and desyring thairfore my Lord Regentis Grace and Counsall, to gif command to the clerk of our Soverane Lordis register, to insert his name, togidder with the names of certane his bairnis, to wit, George, Maister Robert, David, and William Hammiltonis in speciall in the said Pacificatioun; seing that he for himself, and takand the burding upoun him for his haill bairnis, freindis and servandis propirlie depending upoun him ar alreddy cum under the said Pacificatioun be finding of the said souirtie, lyke as at mair lenth is contenit in the said supplicatioun; quhilk being red, sene and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith, my Lord Regentis [Grace], with avise of the saidis Lordis, in respect of the said souirtie, fund be the said David Hammiltoun, declaris that he and sic as he hes fund souirtie for, aucht to haif and enjoy the privilege and benefite of the said Pacificatioun, siclike and als frelie as gif thai war expreslie nominat thairin.

[20th December.]

[Sir Walter Ker of Cesford and John Cockburne of Ormiston oblige themselves that Robert sometime Bishop of Dunkeld, on being released from ward in Blackness, shall repair to and remain in ward in Edinburgh till

relieved, and that they shall present him before the Council when required, under penalty of £10,000.]

[Edinburgh, 23d December.] Anent the Assignatioun maid to the minister of Glasgow.

Forsamekle as albeit in the assignatioun of twa hundrith pundis of stipend to Mr. David Wemys, minister of Glasgw, thair is appointit to him ten chalderis of victuall furth of the thrid of the personage of Glasgw, yit in consideratioun that at the making of the said assignatioun, it wes not rememberit how the thrid of the said personage is sett in tak unreducit, and that the said Maister David is appointit to be pait of the saidis twa hundreth pundis of stipend be contract past betuix himself and the persoun of Glasgow with avise of the Commissioneris of the Kirk thairupoun. Thairfore it is presentlie declarit that notwithstanding the said assignatioun of ten chalderis of victuall, the said Maister David hes only enteres to crave pament of twa hundrith pundis money conforme to the said contract and appoyntment; and in that respect requyris my Lordis of the Counsall and Sessioun, to graunt suspensioun of the letters purchest be the said minster upoun the saidis victuallis; as alsua the Commissar of Glasgow and utheris judges quhatsumever to desist fra proceding at the instance of the said Maister David for the saidis victuallis or ony part thairof in tyme cuming, without prejudice of the saidis twa hundrith pundis money.

[Haddington, 5th January.]

Sederunt—Jacobus Dominus Regens. Gulielmus Dominus Ruthven Thesaurarius. Patricius Dominus Lyndesay. Clericus Justiciarie. Advocatus.

Forsamekle as anent our Soverane Lordis letters direct, makand mentioun; —that his Hienes, with avise and consent of my Lord Regentis Grace, upoun certane ressonable caussis and considerationis moving thame, have gevin,

Jonet Scott.

grantit, assignit, and disponit, to Janet Scott, the spous of Thomas Ker sumtyme of Phairnyhirst knicht, to the sustentatioun of hir and hir bairnis, the landis, mains, and cornis of Sanct Thomas Chapell, the myln and mylnlandis of Oxnem and multuris thairof, and the males, fermes, proffeittis and dewiteis of the landis and steding of Eschesteill, with thair pertinentis, liand within the sherefdomes of Roxburgh and Selkirk respective, during our Soverane Lordis will; nevirtheles as his Hienes and his

Dame Kathrene Ker.

said Regent ar informit, Dame Kathrene Ker Lady Phairnyhirst, and Andro Ker hir sone, be thame selffis and utheris in thair names, of thair causing, command, assistence, and ratihabitioun, molestis and troublis the said Janet Scott in the peciable bruiking and intromissioun with the saidis landis, manis, cornis, myln, multuris, males, fermes, proffeitis, and dewiteis, abone specifiit, the same pertening to his Majestie as escheate, throw the proces and dome of forfaltour led aganis the said Thomas Ker, and is assignit and disponit be his Hienes to the said Janett Scott for hir sustentation as said is, quhairthrow not only sall our Soverane Lord be prejudgeit of his Majesties richt, bot trouble and inconvenient thairupoun sal follow, gif tymous remeid be not providit. And anent the charge

gevin to the said Janet Scott, Dame Katherene Ker and Andro Ker hir sone, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, bringand with thame all thair richtis and titillis, quhairby thai clame richt to the saidis landis, manis, cornis, myln, multuris, males, fermes, proffeittis, and dewiteis, abone expremit, to be sene and considerit, to the effect my Lord Regentis Grace and Counsall micht decerne quha suld be answerit and obeyit thairof in tyme cuming; and the partie havand na richt to be dischargeit, and ordour and suirtie takin, for avoiding of all wrang and trouble quhairby the quietnes of the cuntrie micht be hinderit or shakin lowise, lyke as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. The said Janet Scott comperand be Maister Edmond Hay hir procuratour, and the saidis Dame Katherene Ker and Andro Ker hir sone oftymes callit and not comperand, the richtis, ressonis and allegationis of the partie present being hard, sene and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Janett Scott to be answerit and obeyit for ocht thai have yit sene of the males, fermes, multuris, proffeittis, and dewiteis, of the saidis landis, manys, mylne, and utheris abonewrittin in tyme cuming during the space foirsaid, conforme to the letter of gift and assignatioun maid thairupoun; and attour, ordanis letters to be direct, to discharge the said Dame Katherene Ker and Andro Ker hir sone, of all forder melling or intromissioun with the saidis cornis, multuris, males, fermes, proffeittis, and dewiteis of the landis, manis, and mylne abonewrittin, as thai will answer upoun thair obedience at thair uttermaist charge and perrell, and under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, to denunce thame our Soverane Lordis rebellis and put thame to the horne, and to escheit and inbring all thair movable guidis to his Hienes use.

[James Auldinstoun of that Ilk to enter George Galloway in Preston before the Council upon six days' warning. [Haddington, 5th January.]

John Auchmowty, Baillie of Stirling, surety for John Earl of Montrose, chamberlain, baillie and factor of the barony of Lenye, Cummernauld, and other lands belonging to John Lord Fleming, now forfeited, that he shall justly account for his intromissions with these lands. [Stirling, 6th January.]

John Cockburne of Ormiston, James Hamilton of Samelston and William Chirnside of East Nisbet to enter Hary Hepburne, sometime of Fortoun, "as haill man and feir" before the Council at Edinburgh, on 1st March next, he in the meantime remaining at Fortoun, under the penalty of £10,000. [Haddington, 14th January.]

George Haitlie in Hordlaw becomes bound as principal, and Thomas Ramsay of Wyliecleuch as pledge for him, that the said George, his brother [Haddington, 18th January.]

and all others of his branch, shall be loyal subjects, observing good rule in the country, and in no wise molesting any of the surname of Burnfeilds; any one contravening this band shall be entered before the Council on six days' warning. The band is subscribed by both parties, the surety's "hand led be Johnne Andro becaus I can not wryte."

Alexander Haitlie of Lambden as principal, and Adam Hege of Bemersyde as pledge and surety for him, bind themselves to loyalty and good rule. Also to keep the peace with those of the surname of Burnfeilds, subscribed by both parties, the surety's hand being "led be Johne Andro becaus I can not write."

On the same day, Thomas Haitlie in Sueip as principal, and Henry Halyburtoun of Mertoun as surety, subscribe an obligation to the same effect.

On the same day, Mark Haitlie in Smalhame as principal, and Henry Halyburton as surety, subscribe an obligation to the same effect.

John Haitlie of Brumehill as principal, and Thomas Ramsay of Wyliecleuch as pledge and surety for him, subscribe an obligation to the same effect.

Henry Haitlie apparent of Mellestanis as principal, and Henry Halyburton of Merton as pledge and surety for him, subscribe an obligation to the same effect.

[Haddington, 19th January.] William Brounfeild tutor of Grenelawdene, Adam Burnfeild of Hardakeris, Andro Burnfeild of Pittillisheuch, Alexander Burnfeild of Nether Manis, James Burnfeild of Quhitehous and Alexander Burnfeild of Gordoun Manis, as principals and representatives of the surname of Burnfeilds, their brethren, bairns, tenents and servants, and Sir James Hume of Coldenknows, as cautioner for them, oblige themselves to behave as dutiful and loyal subjects, observe good rule, and not molest any of the surname of Haitly or thair partakers, under the pane of five thousand pounds. This obligation shall not extend to Alexander Burnfeild and Patrick Burnfeild, brother sons of James Burnfeild of Quhitehouse, who are now absent from the Merse, but if they return to that district, the parties to the band oblige them to present them before the Regent. The principals and cautioner subscribe the band "with our handis at the pen led be Johnne Andro."

Cuthbert Trotter in Fogo, Thomas Trottar in the Hill, Thomas Trotter in Netherhall, William Trotter in Foulschedlaw, Thomas Trotter of Prentonen, Charles Trotter in Catchelraw as principals and representatives for the whole surname of Trotter, and Sir James Hume of Coldenknows as cautioner for them, subscribe a band obliging themselves that the whole surname of Trotter shall behave themselves as dutiful and obedient subjects to the King and Warden, and that they shall keep good rule, under the penalty of five thousand pounds.

Triamour Reidpeth of Crumrig, William Reidpeth son and apparent heir of Thomas Reidpeth of that Ilk, Roger Reidpeth of Rowanstoun, William Reidpeth of Grenelaw, Andro Reidpeth in Deringtoun and Thomas Reidpeth in Ellotlaw, as principals and representatives of the surname of Reidpeth, and Sir James Hume of Coldenknowis as cautioner for them, subscribe a similar band, "with our handis at the pen led be Johne Andro."

Robert Diksoun of Buchrig, John Diksoun of Belchester, Alexander Diksoun of Hirdrig, Robert Diksoun of the Manys in the Newtoun, and Robert Diksoun in Eistand of Lethen, as principals and representatives for the surname of Diksoun, and Sir James Hume of Coldenknowis, as cautioner for them, subscribe a similar band, "with our handis at the pen."]

Sederunt—Jacobus Dominus Regens. Willelmus Dominus Ruthven Thesaurarius. Patricius Dominus Lyndesay. Clericus Justiciarie. Advocatus. [Haddington, 20th January.]

Anent the terme assignit to Maister James Thorntoun Chantour of Murray, to preif the allegeance proponit be Maister Edmond Hay his procuratour tuicheing his possessioun of the fructis of the vicarage of Langbride, sen the gift maid to him under the Privie Seill of the Chantorie of Murray, quhairunto the same vicarage is annext, as at mair lenth is contenit in the letters direct thairupoun. The said Maister James comperand personalie, producit letters dewlie execute and indorsate—upoun James Innes in Elgin, Alexander Hardy flescheour thair, James Geddy in Urquhard, Johne Mawar thair, Thomas Lyoun in Blakhillis, Thomas Geddes in Wodsyde, Alexander Gregour in Skeich, Chairlis Lyoun in Coittis of Blakhills, Williame Adie thair, Andro Ramsay thair, Walter Innes in Newtoun of Drany, Robert Cruikschank in Quhitwraith, Andro Scrouche, Williame Man, Andro Man, Williame Forester, Archibald Henry and Thomas Dik,—chargeing thame to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to beir leill and suithfast witnessing, in sa fer as thai knaw or salbe sperit at thame, in the said mater, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit, letters suld be direct simpliciter, to put thame to the horne, like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the saidis personis not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, assignis to the said Maister James the first day of Marche nix to cum for doing of forder diligence; and in the meintyme continewis the said mater in the same forme, force and effect as it is now but prejudice of partie unto the said day; and ordanis him to have letters to charge the saidis personis quhilkis wer chargeit of befoir and comperit not, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall the said first day of Marche nixt, to beir leill and suithfast wit- Mr. James Thorntoun.

nessing in sa fer as thai knaw or salbe sperit at thame in the said mater, under the pane of rebellliouu and putting of thame to the horne; and gif thai or ony of thame failyeis thairin, the said day being bipast, to denunce thame rebellis and put thame to the horne; and to escheit and inbring all thair movable guidis to oure Soverane Lordis use for thair contemptioun.

[Haddington, 27th January.]

Sederunt—Domini ut in die predicto.

David Ogilvy and his sone.

James Weddirburn.

Anent our Soverane Lordis letters, raisit at the instance of David Ogilvy of Auchterleis and Johnne Ogilvy his sone and apparent air, makand mentioun;—that quhair James Wedderburne sone and air of umquhile Johnne Wedderburne in Dunde and David Henrysone his tenent of the landis of Freland and Abirbrochtie, allegeand the saidis complenaris to have committit upoun thame diverse oppressionis, quhilk in deid is not of veritie, purchest letters and thairwith causit charge thame to compeir befoir umquhile Johne Erll of Mar Lord Erskin, Regent to his Hienes his realme and liegis for the tyme, and Lordis of Secreit Counsall at ane certane day of lang tyme bygane, to answer super inquirendis; at quhilk day, and diverse and sindrie dayis thairefter, the saidis complenaris awaittit upoun the calling of the saidis letters, and, ever beand reddie, lyke as thai ar yit, to have answerit thairto, and not being callit efter lang and contineuall awaitting thairon, wes constranit thairthrow to depart hamewart. Nevirtheles the saidis personis, as the saidis complenaris are informit, hes causit thame to be denuncit oure Soverane Lordis rebellis and put to his Hienes horne wranguslie, albeit in veritie thai wer ever reddy, like as thai ar yit, to answer to ony thing that micht or may be laid to thair chargeis, and hes fund cautioun thairupoun; in respect of the quhilk the saidis personis aucht and suld be suspendit simpliciter upoun the saidis complenaris. And anent the charge gevin to the saidis James Wedderburne and David Hendersoun his tenent foirsaid, Williame Lord Ruthven our Soverane Lordis thesaurar, and Maister David Borthuik of Lochill his Hienes advocat for his Majesties interes, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, bringand with thame the saidis letters, pretendit executioun and denunciatioun gif ony be past thairupoun, to be sene and considerit be thair Lordships, and to heir and se the samin decernit be thair decreit of nane avale,—at leist suspendit simpliciter upoun the saidis complenaris in tyme cuming for the caussis foirsaidis, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said David Ogilvy comperand personalie, and the said James Wedderburne comperand be James Lovell burges of Dunde his curatour, the saidis David Hendersoun and Maister David Borthuik being personaly present, and the said Williame Lord Ruthven comperand be Robert Colvile of Cleische his clerk, and the said Johne Ogilvy oftymes callit and not comperand; the ressonis and allegationis of the partiis present being hard and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith. My Lord Regentis

Grace, with avise of the saidis Lordis, fyndis the saidis letters to have bene ordourlie procedit upoun the saidis David and Johne Ogilvyis; and thairfore ordanis thame to be put to forder executioun, and thai to be denuncit as of befoir oure Soverane Lordis rebellis and put to his Hienes horne, and all thair movable guidis eschetit and inbrocht to his Majesties use for thair contemptioun, conforme to the tennour of thame letters in all poyntis, notwithstanding the said suspensioun.

Sederunt.—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Archibaldus Comes Ergadie. Andreas Comes de Rothes. Magister de Marschell. Gulielmus Dominus Ruthven Thesaurarius. Patricius Dominus Lyndesay. Laurentius Dominus Oliphant. Joannes Dominus Maxwell. Hugo Dominus Somervyll. Joannes Dominus Hereis. Adam Episcopus Orchadensis. Georgius Episcopus Moraviensis. Robertus Commendatarius Dunfermling. Commendatarius de Deir. Robertus Commendatarius Insule Sancte Marie. Clericus Registri. Advocatus. Clericus Justiciarie. [Holyrood House, 29th January.]

Dimissioun of the office of Cokquet and Sercheorie of Montroise.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secreit Counsall, comperit David Panter sone to David Panter of Newmannis Wallis, and dimittit and gaif ower in his Graces handis the offices of clerkschip of Cocquet and Sercheorie of the burgh of Montroise, and wes content and consentit that his Grace, in oure Soverane Lordis name, suld dispone the saidis offices to quhatsumevir persoun or personis he thocht best, to be usit be thame in tyme cuming siclike and als frelie as the said David did or micht have done in ony tyme bigane preceding the dait heirof.

[Edinburgh, 31st January.] Lord Somervilles band.

Be it kend till all men be thir present letters, me Hew Lord Somervill; that forsamekle as oure Soverane Lord, with avise and consent of his richt traist cousing James Erll of Mortoun Lord of Dalkeith, Regent to his Hienes his realme and liegis, upoun worthie and gude considerationis tending to the furthering and establishing of peax and quietnes and the universall obedience of his Hienes authoritie, and for my dew obedience to be maid and observit thairto in tyme cuming, hes grantit to me and certane my kin, freindis, servandis and dependaris, the like favour benefites grace privilege and conditionis, as ar contenit in the Pacificatioun maid and accordit upoun at the burgh of Perth upoun the xxiii day of Februar, the yeir of God j^{m}v^{c}lxxii yeiris—ratifiit and apprevit in Parliament—I fynd- and suirtie in maner as efter followis: Thairfore to be bundin and obleist, and be the tennour heirof bindis and oblissis me as principall, and Andro Erll of Rothes and Johne Somervile of Cambusnethan as cautioneris and souirteis for me, conjunctlie and severalie, that I, my kin, freindis, servandis, and dependaris, specifiit in the Kingis Majesties letters, under his Hienes signet and subscriptioun of the said Lord Regent,—grantand and promit-

and that we sall have, bruik and enjoy the like benefites favour grace privilege and conditionis as ar contenit in the said Pacificatioun,—sall trewlie observe fulfill and keip the samin Pacificatioun, and all claussis articles and conditionis thairof concerning us in ony wyis, under the pane of ten thousand pundis, to be pait be me to our Soverane Lordis use. And I the said Hew Lord Somervile oblissis me, my airis and executouris, to freith and releif my saidis souerteis of the premissis, and of all pane and danger that thai sal happin to sustene thairthrow. Attour, we ar content and consentis, that this oure obligatioun be actit and registrat in the buikis of Secreit Counsall, to have the strenth of ane Act and decreit of the Lordis thairof, and that letters and executoriallis be direct thairupoun in forme as efferis; and for acting and registring heirof in the saidis buikis, to have maid, constitute and ordanit, and be the tennour heirof makis, constitutis and ordanis
conjunctlie and severalie, oure procuratouris in uberiore forma promittand de rato. In witnes of the quhilk thing I with my saidis cautioneris and souirteis hes subscrivit this obligation with our handis, at Edinburgh the last day of Januare, the yeir of God j^{m}v^{c} thre scoir threttene yeris, befoir thir witnessis Murray youngar of Cokpule, David Watt, Johne Andro, Williame Wylie and Patrik Fyldar writtaris, with utheris diverse. Sic subscribitur: Rothes. Hew Lord Somervill. Johne Somervile of Cambusnethane.

[Holyrood House, 1st February.]

Sederunt.—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Alexander Comes Glencarne. Andreas Comes de Rothes. Gulielmus Dominus Ruthven Thesaurarius. Patricius Dominus Lyndesay. Laurentius Dominus Olyphant. Johannes Dominus Maxwell. Johannes Dominus Hereis. Georgius Episcopus Moraviensis. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Justiciarie. Advocatus.

Dame Jeane Hamiltoun.

Anent oure Soverane Lordis letters raisit at the instance of Dame Jeane Hamiltoun lauchfull docter to James Duke of Chastellarault[1] . . . as ane Act of Secreit Counsall maid thairupoun beris. And als anent the charge gevin to the said Hew Erll of Eglintoun, to compeir befoir the said Lord Regent and Lordis of Secreit Counsall at ane certane day bigane, to heir and se letters be decernit to be direct, chargeing him to pas and enter his persoun in ward in the said Castell of Blaknes, thairin to remane upoun his awin expenssis, ay and quhill he have reallie and with effect fulfillit the command of the saidis decreitis and letters, and be ordourly relaxt fra the said process of horne, under the pane of tressoun; or ellis to schaw ane ressonable cause quhy the same suld not be done, with certificatioun to him and he failyeit, my Lord Regentis Grace, with avise of the saidis Lordis, wald decerne the saidis letters to be direct in maner foirsaid, lyke

Erll of Eglintoun.

[1] Follows the narrative given on p. 303, down to "with certificatioun as is abone mentionat," p. 304.

as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. David Dundas comperand for the said Dame Jeane Hammiltoun, and the said Hew Erll of Eglintoun oftymes callit and not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing the said Hew Erll of Eglintoun to pas and enter his persoun in ward within the Castell of Blaknes; thairin to remane upoun his awin expenssis ay and quhill he have fulfillit reallie and with effect the command and tennour of the saidis decreittis, and be ordourly relaxt fra the said proces of horne, under the pane of tressoun, and that he cum to the Secretar, etc.

Alexander Leslie of Petcapill. Mr. Thomas Gairdin.

Anent our Soverane Lordis letters raisit at the instance of Alexander Leslie of Petcapill, makand mentioun;—that quhair Maister Thomas Gardin allegeand the teind schaves of the said Alexanderis landis, liand within the parochin of Daviot, assumit in the thrid of the croppis and yeiris of God j^{m}v^{c}lxxi and lxxii yeiris, to appertene to him as assignay constitute thairto, be Maister Patrik Myretoun Thesaurar of Abirdene and Persoun of the said parochin of Daviot, hes callit and persewit the said Alexander Leslie befoir the Commissaris of Abirdene, and obtenit decreit for pament of the said Maister Thomas of the soume of fourtie pundis for ilkane of the saidis thre yeiris,—as alsua cautioun actit in the saidis Commissaris buikis betuix, and the Feist of Yule nix to cum,—intending thairefter in caise of non pament, to poynd the said Alexanderis souertie thairfore,—albeit it is of veritie the said sowme of the yeir of God j^{m}v^{c}lxxi yeiris, wes intromettit with and uptakin be George Erll of Huntlie, and his collectouris in his name, in the tyme of troublis, and gevin up be him in inventar to my Lord Regentis Grace, lyke as particular acquittance gevin be the said Erllis collectouris for the tyme at mair lenth proportis; sua that now be vertew of the Pacificatioun concludit at Perth upoun the xxiii day of Februar last bipast, and declaratour gevin be the said Regent, with avise of the Lordis of Secreit Counsall thairupoun sensyne, he aucht na wyise now to be compellit to mak double pament,—in respect it is fund and declarit be the said Regent, with avise of the saidis Lordis, that all rentis of commoun kirkis, thriddis of benefices, and freir landis, intromettit with and uptakin be the said Erll of Huntlie or utheris in his name, befoir the According to the Abstinence, upoun the penult day of Julij the yeir of God j^{m}v^{c}lxxii yeiris, ar comprehendit under the article of Pacificatioun,—bering that tuitcheing the thriddis or movable guidis, outher pertening to our Soverane Lord or his subjectis, quhilkis his Hienes subjectis than returning to his Majesties obedience, hes takin fra personis professing the same obedience, or dampnageis or skaithis done and committit be thame sen the said xv day of Junii, the yeir of God j^{m}v^{c}lxvii yeiris preceding the said According to the Abstinence, throw the said commoun caus, or ony thing depending thairupoun,—the avise of the Quene of England being had thairin, the samin sould be observit and fulfillit be the said Regent be avise of Parliament. And als hes fund and declarit that the uther article

of the same Pacificatioun, bering that my Lord Regentis Grace sould mak sute to the Kirk at the Generall Assembly thairof, for procuring of sic discharge of the saidis thriddis of benefices, commoun kirkis, or freir landis as mycht be had, is nouther exceptioun nor derogatioun to the formar article immediatlie befoir expremit,—and thairfore hes suspendit all letters of horning or poynding purchest be the procuratouris of the Kirk or collectouris thairof, upoun the said Erll of Huntlie, his servandis abone writtin, and utheris quhilkis answerit obeyit and maid pament to thame of the saidis rentis, thriddis of benefices, and utheris intromettit with be thame during the said space befoir the According to the said Abstinence, ay and quhill declaratour be gevin thairupoun in Parliament as said is. And thairfor the said decreit gevin at the instance of the said Mr. Thomas aganis the said Alexander Leslie for the said sowme of fourtie pundis of the lxxi yeiris foirsaid, intromettit with and uptakin be the said Erll of Huntlyis collectouris the tyme abone mentionat, aucht and sould in likewyise be suspendit and dischargeit simpliciter, and to tak na forder executioun aganis the said Alexander nor his cautioner in tyme cuming,—at the leist ay and quhill declaratour be gevin thairupoun in Parliament as said is. And anent the charge gevin to the said Maister Thomas Gardin, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bygane,—bringand with him the said decreit and act of cautioun following thairupoun, to be sene and considerit be the saidis Lordis, and to heir and se the samin safer as concernis the pament of the said sowme of fourtie pundis for the said lxxi yeiris, as depending on the said Pacificatioun and article thairof abone mentionat, and thairfore to be suspendit and dischargeit to tak ony executioun—ay and quhill declaratour be gevin thairupoun in Parliament as said is, for the caussis foirsaidis; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the said Alexander Leslie comperand be Mr. Robert Leslie his sone; and the said Maister Thomas Gardin comperand personaly, producit the said decreit obtenit be him upoun the said sowme befoir the said Commissar—of the dait the viii day of Maii last bipast—togidder with ane act of cautioun following thairupoun, of the dait the xviii day of November nixt thairefter; quhilkis with diverse utheris the ressonis and allegatiounis of baith the saidis partiis being hard and considerit be my Lord Regentis Grace and Counsall, and thai ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, in respect of the said decreit gevin aganis the said Alexander sen the said Pacificatioun, decernis and ordanis him to mak pament of the said sowme of fourty pundis to the said Maister Thomas for the saidis teind schaves of the said lxxi yeir, efter the forme and tennour of the same decreit and act foirsaid following thairupoun.

Sederunt—Domini ut in die predicto.

[Holyrood House, 2d February.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall,—be the bairnis of umquhile Williame Foular, burges of Edinburgh, Janet Fokart, and James Hathowy burges of the said burgh hir spous, for his entres,—upoun Robert Wilsoun induellar in Leith, makand mentioun; —that quhair the said Robert allegeand him to have coft thair umquhile faderis obligatioun, contenand the sowme of twa thowsand thre scoir and ten frankis, fra Johne Builduik, marchand in Paris, persewit the said umquhile Williame, and obtenit decreit and pament thairof in his tyme of the maist rigorous maner,—that is to say the croun of the sone for fyftie thre soublz deliverit within this realme. Quhilk sowme wes for the price of fristit merchandice, and swa to the derrest price and thrid penny attour the avale thairof; and albeit the said umquhile Williame in his tyme maid compleit pament of the sowme abone writtin, in crownis of the sone and pistolattis efferand to the price abonewrittin, and thairupoun obtenand his acquittance, grantand the said obligatioun fulfillit and satisfeit in all poyntis, as the samin at mair lenth proportis; not theles the said Robert Wilsoun, for plane okker of the said sowme, persewis the interes thairof, albeit thair be na speciall interes convenit in the said obligatioun; and hes arreistit thair guidis thairfore, notwithstanding that in the law of God, nor yit the lawis nor custumis of this realme permittis ony okker or interes in sic caissis as is abone mentionat. And now the said Robert, understanding how that he is indytit as ane okkerar bayth aganis the commoun law of this realme and professioun, quhilk he bot pretendis as ane Christiane, is on propoise be sum sinister informatioun to purches ane licence to depart out of the cuntrie without answering to the Justice upoun the cryme foir-said; quhairthrow he intendis to mak the saidis complenaris grittar trouble, be arreisting of thair guidis in France, the said Robert Wilsoun beand anis releiffit be my Lord Regentis Grace of the wand of justice within this realme. And anent the charge gevin to the said Robert Wilsoun to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to the said Robert and he failyeit, he sould be denuncit our Soverane Lordis rebell and put to his Hienes horne, and all his movable guidis to be eschetit and inbrocht to his use for his contemptioun, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof. The bairnis of the said umquhile Williame, and James Hatpowy spous to the said Janet Fokart for his interes, comperand be Maister David M^cGill thair procuratour, the said Robert Wilsoun comperand personalie with Maister Johne Schairp his prelocutour, and the said Janet Fokart being alsua personaly present,—the ressounis and allegationis of baith the saidis partiis being hard and considerit be my said Lord Regentis Grace and Lordis foirsaidis, and thai ryiplie avisit thairwith.—My Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, fynding in

The bairnis of Williame Foular.

Robert Wilsoun.

respect of the geving of the principall decreit befoir the Provost and Baillies of Edinburgh, that the coistis, skaithis, dampnage, and interes sustenit be the said Robert aucht to be sutit and persewit alsua befoir the saidis Judgeis; and thairfoir ordanis the said Robert to fynd cautioun actit in the buikis of Secreit Counsall, that he sall caus lowis the said arreistment maid upoun the saidis guidis and geir pertening to the saidis complenaris within the realme of France with sic diligence as may be; qhairthrow thay or thair factouris in thair names may returne thairwith in this realme, or utherwyise dispone thairupoun at thair plesour; as alsua that na sic arreistment, stop, trouble or persute salbe maid be him or be ony utheris be his command or persuasioun in tyme cuming, to thame thair guidis or geir in the said realme of France, or ony uther partis beyond sey, under the pane of ane thowsand pundis; lyke as my Lord Regentis Grace, with avise of the saidis Lordis, ordanis the saidis complenaris to find cautioun, alsua actit in the saidis buikis, that thay sall answer befoir quhatsumevir judge or judgeis within this realme, at the instance of the said Robert, as law will, under the pane of ane thowsand pundis.

[John Vedart, alias Captain Vedart, burgess of Edinburgh, becomes bound that the said Robert Wilson shall fulfil his part of the decree above written.[1]

Richard Rutherford Provost, and Williame Alesoun Baillie of Jedburgh, become cautioners that Robert Kirktoun burgess of that burgh, shall faithfully exercise his office of custumary and searchery of English goods in Roxburgh, Berwick, and Selkirk, making payment of the customs and escheit goods yearly in the chekker.]

Sederunt—Domini ut in die predicto.

[Holyrood House, 3d February.] To denunce the Erll and Lady Ergyle.

Anent oure Soverane Lordis letters direct, makand mentioun: Forsamekill as the jowellis and houshald stuff sumtyme pertening to the Quene oure Soverane Lordis moder, and now to his Hienes sen his Majesteis coronatioun, being dispersit and fallin in the handis of diverse his subjectis and utheris, my Lord Regentis Grace is ordanit, be the thre Estaittis of this realme in Parliament, to call for the saidis jowellis and houshald stuff, and to collect the same to his Hienes use,—quhais acquittance salbe sufficient warrand to the deliveraris, as the Act of Parliament maid thairupoun beris.[2] And it is of veritie that Dame Annas Keyth Countesse of Ergyle hes in hir handis thre greit rubyis and thre greit dyamontis of the saidis jowellis, with ane greit jowell in the forme of ane H set with dyamontis, quhilk schö will not present befoir my said Lord Regent without schö be compellit. And anent the charge gevin to the said Dame Annas Keyth Countesse of Ergyle and Colyne Erll of Ergyle, now hir spous, for his interes, to exhibit and

[1] Deleit be ane decreit gevin at Haliruidhous, the xv of Februare 1574, to be gottin in fol.

[2] "Tuiching the recovering and collecting of the King's Majesties jowellis and movables."—Acts Parl. Scot., iii. 74.

present the saidis thre rubyis and thre dyamontis with the said jowell in forme of ane H befoir my Lord Regentis Grace and Lordis of Previe Counsale at ane certane day bipast, to the effect the same may be decernit to be deliverit to the said Regent, to be kepit to oure Soverane Lordis use and behuif, under the pane of rebellioun and putting of thame to the horne; or ellis to allege ane ressonabill caus quhy the samyn sould not be done; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne—lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit and the said Dame Annas Keith and Colyne Erll of Ergyle hir spous, comperand bayth personalie, on na wayis did exhibit and present the saidis jowellis to the effect foirsaid, nor yit schew ony ressonabill caus quhy the samyn sould not be done; quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis letters to be direct to officiaris of armes, shereffis in that part, chargeing thame to pas and denunce the said Dame Annas Keith and Colyne Erll of Ergyle hir spous oure Soverane Lordis rebellis, and put thame to the horne; and to escheit and inbring all thair movabill gudis to our Soverane Lordis use, etc.

Lady Ergyle appelit.

The quhilk day Dame Annas Keith Countesse of Ergyle appellit frome the sentence and jugement gevin be the Lordis of Secreit Counsale decerning hir to exhibit thre greit rubyis and thre greit dyamontis with ane greit jowell in the forme of ane H set with dyamontis—and failyeing thairof, letters to be direct to put hir and Colyne Erll of Ergyle hir spous, for his interes, to the horne unto the Parliament and thre Estaittis thairof; allegeing this caus aucht onelie to ressave tryell in Parliament, and befoir na uther jugeis; in respect of ane Act of Parliament maid as schö allegeit, committing the dispositioun of our said Soverane Lordis jowellis pertening sumtyme to his Hienes moder, to umquhile James Erll of Murray, Regent of this realme for the tyme.

Channonis of Quhitherne.

Mr. Johnne Dowglas.

The quhilk day, anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be George Stevinstoun, Williame Cranstoun, Johnne Kay, Adam Flemyng, Johnne Stewart, and George Mure, Channonis of the Abbay of Quhitherne, upoun Maister Johnne Dowglas Chalmerlane to my said Lord Regent, makand mentioun;—that quhair the said Maister Johnne will not answer thame of thair pensionis and assignationis quhilkis thay have of umquhile Malcolme Commendatare of the said Abbay, of lang tyme afoir his deceis, assignit to every ane of thame respective, for thair sustentatioun and portioun that thay aucht to have of the frutis of the said Abbay; and the said Commendatare wes chargeit be vertew of letters in the four formes, to mak every ane of the saidis complenaris payment of the sowme of fourtie markis yeirlie, quhairthrow he assignit for payment thairof certane teindis of sindry landis, as thair assignationis beris at mair lenth; and swa thay haif bene, lyke as thay ar yit unto this tyme, in possessioun of thair said assignatioun, quhill now that the said Chalmerlane

refuissis to admit the samyn to every ane of thame in tyme cuming, without my Lord Regentis Grace admit the same. And anent the charge gevin to the said Mr. Johnne Dowglas Chalmerlane foirsaid, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to answer to the said complaint; the said Dene Johnne Kay ane of the Channonis of the said Abbay comperand for him self and in name of the rest of the Channonis of the same, and the said Johnne Dowglas being alsua personalie present. My Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis the said Maister Johnne to satisfie the saidis Channonis for thair saidis pensionis, be delivery of victuale conforme to thair assignationis, or payment to every ane of thame respective thairfoir of the sowme of fourty markis money of this realme yeirlie, during his intromissioun as Chalmerlane foirsaid, with the frutis of the said Priorie; without prejudice alwayis to the saidis Channonis to persew the personis addettit in payment of thair saidis yeirlie pensionis for the yeris bigane restand unpayit as accordis.

Patrik Bellenden. Lord Robert [Stewart.]

The quhilk day Maister Johnne Scharp and Clement Littill, procuratouris for Lord Robert Stewart fewar of Orknay and Zeitland, comperand for him and in his name, grantit and confessit that he intromettit with and tuke up ane part of the gudis and geir contenit in the summondis rasit at the instance of Patrik Bellenden of Stanehous, as appertening to our Soverane Lord, as escheit, be vertew of letters of horning execute aganis him for non comperance befoir my Lord Regentis Grace and Lordis of Secreit Counsale for the tyme, to have answerit to sic thingis as sould have bene laid to his charge; quhairupoun Maister David Borthuik our Soverane Lordis advocatt, in his Majesteis name, askit Act and instrument.

[Holyrood House, 6th February.]

[Colin M°Kenze of Kintaill as principal, and James Scrymgeour of Dudhoip Constable of Dundee, and James Hering of Glasclone, as cautioners for him, subscribe a band obliging them to enter the said Colin in Edinburgh on 20th May next, remaining there till relieved, under a penalty of ten thousand pounds; the former Act therefore requiring him to remain on this side of the water of Forth is discharged.]

[Haddington, 11th February.]

[William Hay of Dalgatie binds himself that Gilbert Menzies burgess of Aberdeen shall keep ward in Edinburgh until relieved.]

[Holyrood House, 12th February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Justiciarie. Advocatus.

Agnes Halkerstoun.

The quhilk day, anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Agnes Halkerstoun relict of umquhile James

James Dowglas.

Dowglas in Overhowden, upoun James Dowglas sone to umquhile Robert

Dowglas of Pumphrastoun, makand mentioun. That quhair the said Agnes set in tak and assedatioun to the said James Dowglas his airis and subtenentis, all and haill hir landis of Halkerstonis Croft, with the mansionis, houssis, biggingis and yairdis of the same and thair pertinentis, for a certane space, and yeirlie dewitie mentionat in the same tak; in the quhilk it is providit expreslie, that gif he failyeis in payment making to the said Agnes of the dewitie contenit thairintill within twenty dayis eftir the termis of payment mentionat in the said tak—in that caise the same tak sould expyre, and he sould leif the saidis landis houssis and biggingis to hir als gude as thay wer the tyme that he enterit thairto; as the said tak in the self at mair lenth proportis. And it is of veritie that the said James restis awand to the said Agnes ane yeris maill of the said tak, and will mak hir na payment thairof without he be compellit. And anent the charge gevin to the said James Dowglas to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the said complaynt, executioun and indorsatioun thairof. Quhilkis being callit, bayth the saidis partiis comperand personalie, thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said James Dowglas, of his awin consent, to content and pay to the said Agnes Halkerstoun the yeris maill foirsaid acclamit be hir, contenit in the said tak maid to him thairupoun, deduceand thairof the sowme of four pundis, according to ane decreit gevin be the Baillie depute of the Regalitie and Barony of Brochtoun, schawin and producit befoir my Lord Regentis Grace and Counsale; and siclyke decernis and ordanis the said James, of his awin consent as said is, to renunce and gif ower simpliciter in the handis of the said Agnes the samyn tak maid to him and his subtenentis of the saidis croft, houssis, biggingis and utheris abonewrittin, to be set, usit and disponit upoun be hir at hir pleasour, eftir the ische and outrynning of the yeris contenit in ane tak maid be the said James Dowglas to Johnne Hill his subtenent of the same landis, for the payment yeirlie to be maid be the said Johnne to hir of the sowme alsua mentionat in the tak maid to him thairupoun, deduceand siclyke of the samyn yeirlie during the saidis yeris the said sowme of four pundis, conforme to the said decreit gevin be the said baillie depute; meaning alwayis that the said renunciatioun maid be the said James of the said tak, sall na wayis hurt or prejuge the said Johnne Hill his subtenent, bot that he may brouke and joise the said croft, houssis, biggingis and houssis abone writtin, conforme to the said tak maid to him thairupoun during the yeris and for payment of sic dewitie to the said Agnes as is contenit thairin—deduceand thairof yeirlie the foirsaid sowme of four pundis—conforme to the foirsaid decreit gevin be the said baillie depute as said is; nor yit that the said renunciatioun

sall ony-wayis prejuge the said James or his airis of ony rycht he may clame to the saidis houssis, landis and utheris abone specifiit eftir the deceis of the said Agnes.

[Haddington, 12th February.] [John Blair of that Ilk suerty for Hew Earl of Eglinton, appearing on the 10th March next, and paying the debt he owes to Dame Jehane Hamilton daughter of the Duke of Chatelheralt.

The Regent having released John Maitland sometime Prior of Coldinghame, he remaining with Hew Lord Somervile at Cowthelie during the pleasure of the King, George Crawford of Lefnoreis, Francis Dowglas of Borg, and John Edmonstoun of that Ilk and John Cokburne of Clerkingtoun younger, become sureties for his abiding at Cowthelie until relieved, conducting himself as a good subject, and neither sending letters abroad nor receiving any from strangers; the sureties to present him before the Council when required, under the penalty of £10,000.]

That nane supple declarit tratouris. Forsamekill as thair is diverse of the borne subjectis of this realme of quhome some ar declarit tratouris and utheris seditious, rebellious and unquiet spreittis, that being fled remanis beyond sey and in uther foreyn princesse dominionis, still practizand and sterand up sa far as in thame lyis traterous and seditious rebellioun, alsweill be thair actionis as be thair letters and buikis, aganis the Kingis Majestie thair Soverane Lord, the present governament, commoun weill and quietnes of this thair native cuntre; that is to say, James sumtyme Erll Bothuile, James sumtyme Archebischop of Glasgow, Johnne sumtyme Bischop of Ross, Williame sumtyme Bischop of Dunblane, Mr. David Chalmer sumtyme Provest of Creichtoun, Maister Johnne Hammiltoun sumtyme persoun of Dunbar, James Hammiltoun sumtyme of Boithuilhauch, Johnne Hammiltoun sumtyme Provest of Bothuile, Sir Thomas Ker sumtyme of Fairnyhirst knycht, Williame Hendirsoun callit Bludewitis, Maister Edmond Hay Provest of the Jesuitis, Maister James Tyrie Jesuite, Mr. Williame Murdo Jesuite, Maister Adam Blackwod, Maister Robert Abircrumby Jesuite, Williame Seres, Sir Niniane Minzet freir, James Peblis, Arche Betoun sone of umquhile Archibald Betoun of Capildra and Johnne Cheisholme sumtyme in Leyth Comptrollar of the Ordinance. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, to command and charge all and sindry our Soverane Lordis liegis, that nane of thame presume or tak upoun hand to supple or furneis the saidis declarit tratouris and seditious and rebellious personis with money, fynance, counsale or uther ayde quhatsumevir; or send or cary ony letters or messages to thame, directlie or indirectlie; and that na maisteris, skipparis or marinaris of ony schippis or veschellis, owther of this realme or strangearis, tak upoun hand to ressave, transport or bring in this realme ony of the saidis declarit tratouris or rebellious and seditious personis abonewrittin, or thair knawin servandis and dependaris; or bring

ony letters or bukis fra thame to ony persoun or personis, except thay present bayth the personis letters and bukis to oure Soverane Lord, his Regent and Previe Counsale, immediatlie upoun thair arrivall, under the pane of deid and confiscatioun of the schippis veschellis and gudis of the personis contravenand and doand in the contrair heirof.

Sederunt—Jacobus Dominus Regens. Willelmus Dominus Ruthven. Robertus Dominus Boyd. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Justiciarie. Advocatus. [Holyrood House, 17th February.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne Peblis burges of Perth, upoun Johnne Lovell fear of Ballumby, makand mentioun;—that quhair be vertew of ane contract and appointment, maid be avyise and in presence of my said Lord Regent,—betuix him on that ane part, and Henry Lovell lyverentar of Ballumby his fader, on that uther part,—of the dait at Haliruidhous the xix day of August last bipast,—the said Johnne become dettour to diverse personis creditouris to his said fader—of the quhilk the said complenar is ane—to quhome he is addettit for sindrie heirschippis, birningis and wrangis done be the said Henry to thame—and to the said Johnne Peblis for burding and furnissing of him in his hous within the said burgh, be ane certane space—in diverse sowmes of money, and to the said complenar in speciall in the sowme of ane hundrith pundis; and be vertew thairof, band and obleist him to content and pay the same to thame and him, ilkane of thame for thair awin part, and to releif and keip his said fader skaithles thairof, swa that he sould nevir be callit, troublit, nor persewit thairfoir in tyme cuming, as the said contract of the dait foirsaid mair fullelie proportis. And albeit the said Johnne Peblis for his part hes oft and diverse tymes requirit the said Johnne, to content pay and deliver to him the said sowme of ane hundrith pundis restand awand to him be the said Henry for the caus foirsaid, as he that become dettour to the said complenar to that effect, conforme to the said contract;—nocht theles he wranguslie postponis and differris to do the samyn, without he be compellit. And anent the charge gevin to the said Johnne Lovell fear of Ballumby, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to answer to the said complaint, and to heir and se him decernit to deliver to the said Johnne Peblis the foirsaid sowme, conforme to the said contract; or ellis to allege ane ressonabill caus quhy the samyn sould not be done; with certificatioun to him and he failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne in maner abonewrittin, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof. Quhilkis being callit, bayth the saidis partiis comperand personalie, my Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Johnne Lovell of his awin consent to deliver and mak payment to the said Johnne Peblis of the said sowme of

Johne Peiblis. Johne Lovell fear of Ballumby.

ane hundrith pundis, conforme to the said contract, betuix the dait heirof and the first day of Maii nix to cum, but langer delay, and that letters be direct heirupoun gif neid be in forme as efferis.

Jeane Dowglas. Dame Christiane Bellenden.

The quhilk day, anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Jehane Dowglas, ane of the sisteris of the Senis besyde Edinburgh, upoun Dame Cristiane Bellenden, Priores of the Senis, makand mentioun;—that quhair schö hes assignit to the said Jehane Dowglas the sowme of twenty pundis yeirlie, to be payit be James Wilkie in the Cannogait, of the reddiest dewiteis awand be him, quhairof he hes maid hir payment thir diverse yeris bigane, and now presentlie restis awand to hir the said sowme of xx ℔. for this instant yeir of God j^{m}v^{c}lxxiii yeris, quha will mak hir na payment thairof, nor to Johnne Colquhoun quha hes furneist and sustenit hir this lang tyme bigane, without he be compellit. And anent the charge gevin to the said James Wilkie and to Thomas Lindesay, collectour of Lowthiane,—quhome be it wes allegeit the said sowme wes arreistit as assumit in the thrid of the Senis,—to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to heir and se ordour takin anent this complaint as appertenit; as the samyn and executioun thairof at mair lenth proportis. The saidis James Wilkie and Thomas Lindesay comperand personalie, and the said Jehane Dowglas being alsua personalie present; my Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said James Wilkie to mak payment to the said Jehane Dowglas of the foirsaid sowme of xx ℔. for this instant yeir of God, lxxiii yeris. And siclyke the same sowme yeirlie in tyme cuming, sa lang as the said James is intromettour with the landis of Sanct Laurence hous and teindis thairof; dischargeing the said Thomas Lindesay of all calling of the said James for the samyn, or executing of ony letters aganis him thairfoir during the said space, and of his office in that part; and the samyn to be thankfullie allowit to him in his comptis be the auditouris thairof, quhome my Lord Regentis Grace, with avise of the saidis Lordis, ordanis to diffeis the samyn yeirlie during the space foirsaid, upoun the sicht of thir presentis.

Sederunt domini ut in die predicto.

[Holyrood House, 19th February.] Niniane Johnstoun. Thomas Johnstoun.

The quhilk day, anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale, be Niniane Johnnestoun, broder germane to Thomas Johnnestoun in Fingland, upoun the said Thomas, makand mentioun;—that quhair, upoun the secund day of Marche, the yeir of God j^{m}v^{c}lx yeris, thair wes appointment and aggreance maid betuix the said Niniane and the said Thomas, be the quhilk he excambit, interchangeit, and resignit, fra him his airis executouris and assignayis, all and haill his rycht, kyndnes, interes, and possessioun, of ane marklend of the Over Wanlopes and his steding of Finglandis, and of all utheris his stedingis within Wamfra quhilkis his fader had in kyndnes and possest; for the quhilk

the said Niniane renunceit and gaif ower to the said Thomas his rycht and kyndnes of certane uther rowmes, as the appointment betuix thame at mair lenth proportis; conforme to the quhilk, the said Niniane hes bene in peciabill possessioun of the said mark land of Over Vanlopes continewalie sensyne, but molestatioun or impediment. Nochttheles the said Thomas this last yeir, with his complices, come and stoppit the said Ninianis plewchis to laubour the said markland; lyke as the said Thomas laitlie in lyke maner, with utheris evill gevin personis of that same mynd, come to the said markland, quhairupoun troubles wes liklie to haif rissin betuix thame, having convenit thair freindis on ayther syde; be the quhilk the cuntre may be brokin and the quietnes thairof greitlie hinderit in caise summar ordour be not takin. And anent the charge gevin to the said Thomas Johnnestoun, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to answer to the said complaint under the pane of rebellioun; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof. The said Niniane comperand personalie, and the said Thomas oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes, chargeing thame to pas and denunce the said Thomas our Soverane Lordis rebell, and put him to the horne, and to escheit and inbring all his movabill gudis, etc.

[Holyrood House, 22d February.] Flesche prohibit to be eitin in Lenterne.

Forsamekle as albeit in the spring tyme of the yeir callit Lentren, all kyndis of flesche debilitattis, decayis and growis out of sessioun, unmeit to be eittin; and that all nationis in that consideratioun cheiflie hes forborne the eitting of flesche during that tyme; as alsua be expres lawis and Actis of Parliament and Previe Counsale maid be our Soverane Lordis progenitouris, the eitting of flesche in Lentren is prohibit and forbidden under the pane of confiscatioun of all the gudis of the offendouris to oure Soverane Lordis use. Nevirtheles, throw troubles past and the insolence and delicacie of sindry folkis, the law hes bene contempnit and planelie violat thir diverse yeris bipast, and sa is lyke to continew neglectit and contempnit in tyme cuming gif tymous remeid be not providit. For remeid quhairof, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, to mak publicatioun and intimatioun of the said law and Actis of Parliament and Previe Counsale, and of the pane abone writtin contenit thairin, that nane pretend ignorance of the samyn; and to command and charge of new all and sindry our Soverane Lordis liegis, that nane of thame, of quhat estate, degre or conditioun that evir thay be of, presume, or tak upoun hand, to eit or sla, prepair or mak reddy for eitting, of ony kynd of flesche in ony tyme eftir the last day of Februare instant, quhill the ellevint day of Aprile nixtocum, except sic personis as upoun just and necessarie considerationis sall obtene our Soverane Lordis licence or writt to that effect, conforme to the saidis

Actis of Parliament and Secreit Counsale, and under the said pane of confiscatioun of all thair movabill gudis,—the twa pairt thairof to oure Soverane Lordis use, and the thrid part of the samyn to the apprehendar, dilatar, and tryar of the offence; and that the Justice Clerk and his Deputtis accuse the personis suspectit and dilatit of the said cryme at generall Justice Aires or courtis, or set particular diettis for calling of the personis offendouris to underly the law, and minister justice upoun thame thairfoir with all rigour. And in lyke maner that the Provest and Baillies of Edinburgh, and of all uther burrowis within this realme, mak diligent serche and inquisitioun amangis all flescheouris, oistlairis, tavernaris, commoun cuikis, pultre men, and sic utheris as sellis or makis reddy flesche in greit or small quantitie, to the end that quhair thay find the said law and ordinance transgressit or suspitioun thairof in ony part of the saidis personis houssis, thay may put and keip thair personis in sure ward, ay and quhill thay be tryit for the offence, according to the lawis of the realme and justice.

[Edinburgh, 27th February.] [James Dalyell burgess of Edinburgh becomes cautioner that Walter Scott burgess of Dysert shall truly and diligently discharge the offices of Searchery and clerkship of Cocket of Dysert, making compt and reckoning yearly in the Exchequer.]

[Holyrood House, 17th March.] *Sederunt*—Jacobus Dominus Regens. Joannes Dominus Glammis. Joannes Comes de Montroise. Hugo Comes de Eglintoun. Robertus Comes de Buchane. Andreas Comes de Rothes. Willelmus Magister de Marschell. Archiepiscopus Sancte Andree. Episcopus Moraviensis. Episcopus Orchadensis. Willelmus Dominus Ruthven. Robertus Dominus Boyd. Patricius Dominus Lindesay. Laurencius Dominus Oliphant. Willelmus Dominus Yeistir. Hugo Dominus Somervile. Alexander Dominus Saltoun. Allanus Dominus Cathcart. Commendatarius Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus.

Johnne Master of Forbes, Alexander Dunbar of Kilboyak and utheris. Anent oure Soverane Lordis letters, rasit at the instance of Johnne Maister of Forbes, Alexander Dunbar of Kilboyak, David Dunbar sone to the Gudeman of Grangehill and Alexander Forbes of Cartowly, makand mentioun; —that quhair it is not unknawin that in the tyme of the lait troubles past, in defence of his Majesteis authoritie, the said Maister of Forbes wes takin be Adam Gordoun of Auchindoun and detenit in captivitie as presonar within the Castell of Spynie, quhill that be the Pacificatioun concludit he wes set at libertie. Yit nevirtheles, befoir he wes relevit he wes compellit to caus the saidis gentilmen becum actit cautionaris and souirteis for him in the Commissaris bukis of Elgin, for payment to George Erll of Huntlie and the said Adam, of the sowme of sevin hundrith and fyve pundis, as for the modifiit expenssis allegeit maid be the said Maister of Forbes the tyme of his said detentioun within the said Castell. And now he

George Erll of Huntly.

understandis the said George Erll of Huntlie hes be his procuratour causit mak intimatioun to the saidis cautionaris of the said Act, desyrand thame to mak payment to him of the said sowme, certifeand thame gif they mak him na payment thairof, that he will raise executoriallis upoun the said Act; be the quhilk he intendis to caus poind the saidis souirteis gudis for the samyn wranguslie; howbeit in veritie it is expreslie grantit and confessit be the said Erll in the Articles of the said Pacificatioun, that all thingis done or assistit unto be him and his factioun in name or be cullour of ony uther authoritie nor oure Soverane Lord, sen his Hienes coronatioun, aganis ony that professit his obedience for the tyme, hes bene unlauchfull and of na strenth, force nor effect, and sal haif na executioun in ony tyme bigane or to cum, as in the said Pacificatioun is contenit. And becaus it is manifest that the said Johnne Maister of Forbes hes profest and professis his Majesteis authoritie and wes takin in defence thairof, sua is his taking and impresonment unlauchfull, and consequentlie all bandis, promeissis and securiteis maid be him or his souirteis to the said Erll, or the said Adame, or to ony utheris as depending thairupoun, ar and wer null fra the begynning, and aucht and sould tak na executioun in tyme cuming. And anent the charge gevin to the said George Erll of Huntlie and Maister Alexander Dowglas Commissar of Elgin, in quhais bukis the said Act is contenit,—to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, at ane certane day bigane, bringand with thame the said Act and quhatsumevir band and obligatioun maid be the said Johnne Maister of Forbes, or his saidis souirteis, to the said Erll and his said broder, or ony of thame, for the saidis expenssis,—to be sene and considerit be my Lord Regentis Grace and Lordis foirsaidis, and to heir and se the same declarit and decernit be thair decreit to have bene null and of nane effect fra the begynning, and to tak na executioun in tyme cuming, and to be deleit furth of the saidis bukis for evir for the caussis foirsaidis, lyke as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof.—The said Johnne Maister of Forbes comperand personalie for himself and the saidis personis his souirteis, and the said George Erll of Huntlie and Maister Alexander Dowglas Commissar of Elgin oftymes callit and not comperand, the ressonis and allegationis of the partie present, togidder with the poyntis and articles of the said Pacificatioun being hard, sene and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, declaris and decernis the said Act and quhatsumevir band and obligatioun maid be the said Johnne Maister of Forbes, or his saidis souirteis to the said Erll and his said broder, or ony of thame, for the saidis expenssis, to have bene null and of nane effect fra the begynning, and to tak na executioun in tymes cuming; and ordanis the same to be deleit furth of the saidis Commissaris bukis for evir; and als ordanis all officiaris to desist and ceise fra all putting of letters and executoriallis, rasit or to be rasit upoun the said Act or band, to executioun upoun the said Maister or his saidis souirteis, dischargeing thame thairof, and of thair offices in that part for evir.

Commissar of Elgin.

Dame Jeane Kennedy Lady Orknay.

Gilbert Balfoure.

The quhilk day, anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be Dame Jehane Kennedy, spous to Robert Lord Stewart Fewar of Orknay and Zeitland, makand mentioun.—That quhair letters wer direct, chargeing the said Lord—to deliver to Gilbert Balfour and his servandis in his name the hous and fortalice of Westraw, and to suffer thame to brouke and joise the same with the Ile and proffeittis thairof within certane space,—under the pane of tressoun. Quhilkis letters being execute upoun the said Lord be Johnne Calder, Bute Pursevant, the same place wes left void, and the keyis thairof deliverit to the said officiar to be deliverit to the partie, quhilk the officiar will testifie. And as twicheing the uther houssis within the Ile, quhairin certane the said Lordis and his servandis gudis wer put, the samyn mycht not than be transportit for sindry impedimentis; and yit howsone wind and weddir servit thaireftir the same wer careit away, and the haill Yle and houssis thairof left void and red of the said Lord and servandis gudis to the said Gilbert; and sensyne hes maid na impediment to him in brouking and posseding thairof; and swa the said Lord hes reallie and with effect obtemperit and obeyit the command of the saidis letters. Yit nevirtheles, as the said Dame Jehane is informit, thair is letters direct, chargeing the said Lord to compeir at ane certane day, to heir him be decernit to be forfaltit. Quhilkis letters, gif ony be ar purchest upoun ane fals narrative for allegeit dissobedience of the saidis utheris letters, and grantit without ony maner of assurance of the trewth, and without all cognitioun takin thairupoun as aucht to have bene befoir the granting of sic letters, quhairupoun sa havy dangeare and offence dependis; for it is of veritie that the saidis first letters ar obeyit and fulfillit be the said Lord quhilk the said Dame Jehane offeris hir to preif sufficientlie. Quhairthrow it apperis maist manifestlie, that the saidis summondis of tressoun ar purchest be partie upoun verie malice and na uther wayis, and divisit to draw the said Lord furth of the cuntre, swa that sindry personis abydand opportunitie may in his absence interpryise and execute sic thingis as is abill to tend to his utter wrak and greit hurt of the cuntre. And albeit the said Lord wer weill myndit to compeir, as he may not in deid, he may na wayis sauflie for sindry occasionis notourlie knawin tak jornay be land, sua that gif be sey he sall tak vayage, be stormis contrary windis and uther accidentis he may be stoppit. Quhairthrow, not in his awin default, for his non comperance he is abill to incur utter dangeare without my Lord Regentis Grace respect the same. And anent the charge gevin to Margaret Bothuile spous to the said Gilbert, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to heir and se the said summondis of tressoun, gif ony be rasit aganis the said Lord, be dischargeit simpliciter; reservand to the said Margaret and hir said spous all actioun to be persewit befoir the juge competent as accordis, conforme to the lawis of this realme; or ellis to schaw ane ressonabill caus quhy the samyn sould not be done; with certificatioun to hir and schö failyeit, my Lord Regentis Grace and Lordis foirsaidis wald discharge in maner abone-

writtin, lyke as at mair lenth is contenit in the said supplicatioun. The said Dame Jehane Kennedy comperand be Maister Clement Littill hir procuratour, and the said Margaret Bothuile comperand be Maister Henry Balfour hir procuratour; thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, admittis the contentis of the said supplicatioun, twicheing the delivery of the said place of Westray, with the haill office houssis of the samyn to the said officiar, and leving samekill of the Ile as appertenis to the said Gilbert Balfour void and red of the said Lordis gudis and servandis, to the said Maister Clementis probatioun; and assignis to him the tent day of Junii nix to cum for preving thairof as efferis. And Maister Alexander Coustoun indwellar of Leyth and Williame Monteith bowar and burges of Edinburgh become cautionaris and souirteis, conjunctlie and severalie, that in caise the said place be not alreddy randerit and the said Ile left void as said is, that the same salbe done betuix and the said tent day of Junii nixt, conforme to the tennour of oure Soverane Lordis letters direct to that effect of befoir, under the pane of ane thowsand pundis, reservand actioun to the said Gilbert and his spous foirsaid as said is; and dischargeis the said summondis of tressoun, gif ony be rasit aganis the said Lord, for the caus foirsaid; and ordanis the same to tak na forder executioun aganis him in the menetyme.

Johne Cranstoun. Archibald Wauchope.

The quhilk day, anent the complaint maid be Johnne Cranstoun in Monktounhall upoun Archibald Wauchop in Dudingstoun, makand mentioun; —that quhair he persewit him befoir the Lordis of Counsale for the wrangus awaytaking fra him of certane cornis and gudis; and eftir lang persute he obtenit ane decreit aganis the said Archibald, with letters of poinding thairupoun. And becaus he maid assignatioun of his gudis in defrude of the said Johnne, he obtenit letters be deliverance of the saidis Lordis of Counsale to poind and appryise quhatsumevir the said Archibaldis gudis being in his possessioun—notwithstanding ony pretendit assignationis, titillis and dispositionis maid be him thairof—ay sen he causit execute letters of inhibitioun upoun him. Nocht theles the said Archibald, be himself and be utheris personis of his causing and command, hes causit sindry tymes deforce our Soverane Lordis officiaris in executioun of his Hienes letters past upoun the said decreit. And laitlie, upoun the secund day of Marche instant, James Tempiltoun messinger, be vertew of the saidis letters of poinding, past and apprehendit xvi bollis of beir or thairby undicht in the said Archibaldis barne in Westir Dudingstoun, and intendit lauchfullie to caus appryis the same. Nevirtheles Johnne Edmonstoun of that Ilk send furth the servandis, viz., Robert Turnet, Archibald Cambe and utheris thair complices, bodin with wappynnis, swerdis and halbartis, and violentlie deforceit the said James Tempiltoun,—and not in sympill maner deforceit him, bot drew swerdis and had invadit him for his slauchter of set purpois to have slane him, and did that wes in

thame to have done the samyn,—gif James Dowglas servitour to the auld Lady Edmonstoun had not stoppit the samyn; and planelie the saidis personis deforcearis declarit that thay had expres command of the said Laird of Edmonstoun thair maister to stop the said poinding and apprysing of the said Archibaldis gudis. And thus the said Laird of Edmonstoun hes heichlie contempnit our Soverane Lordis authoritie, and that within ane myle to my Lord Regentis Grace presence. And immediatlie eftir the committing of the said deforcement the saidis personis brak up the dur of the said barne and intromettit with the cornis foirsaidis. And anent the charge gevin to the said Johnne Edmonstoun of that Ilk, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne, lyke as the samyn complaint, executioun and indorsatioun thairof at mair lenth proportis. Quhilkis being callit, bayth the saidis partiis comperand personalie; it wes allegeit be the said Johnne Edmonstoun that the saidis xvi bollis beir pertenit to himself, and cautioun fund be the said Archibald Wauchop that the samyn sould remane in the said barne to his behuif; and thairfore did na wrang in stopping of the said officiar to intromet thairwith be his servand Robert Turnet, and denyit that his said servand ony wayis mannassit the said officiar, or drew wappynnis to him for his slauchter as is abonewrittin. Quilkis with diverse utheris the ressonis and allegationis of the said Johnne Edmestoun, being hard and considerit be my Lord Regentis Grace and Counsale, and thai ryplie avisit thairwith; my Lord Regentis Grace, with avise of the saidis Lordis, remittis the first part of the said complaint, anent the allegeit deforcement, to be persewit befoir the juge ordinar as accordis of the law. And as towart the mannassing of the said officiar and drawing of wappynnis to him for his bodelie harme, as is abone mentionat; admittis that part to the said Johnne Cranstonis probatioun, and assignis to him the xv day of Marche instant for preving thairof be the said officiar and witnessis contenit in his indorsatioun; and ordanis him to have letters to charge the said officiar and witnessis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale the said day, to beir leill and suithfast witnessing in sa far as thay knaw or salbe sperit at thame in the said mater, under the pane of rebellioun; with certificatioun, etc.; bayth partiis warnit heirto apud acta.

James Broun and Andro Dudingstoun.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be James Broun in Logane, upoun Andro Dudingstoun in Southous crownar of Peblis, makand mentioun;—that quhair he gaif him up as souirtie for the entre of Walter Hendirsoun in Kirkhall, servand to Williame Twedy of the Wra, albeit it be of veritie he on no wayis had cumpany nor familiaritie with the said Walter Hendirsoun, nor he nevir become souirtie for him; and thair is na persoun levand can verifie that evir the said James become cautioun for the said Walteris entre. Nocht theles Williame Murray of Romannoss Sheref-depute of the sherefdome of

Peblis hes fund the said James in roll amangis thame quhilkis wer cautionaris for the entre of certane personis attecheit of the said justice air, and quhilkis comperit not thair; and sua hes intromettit with the said James Brownis haill gudis and geir for the allegit nonentre of the said Walter Hendirsoun, he nevir being souirtie for him as said is; and sua the said Laird of Southous has wranguslie gevin up the said James name as souirtie for him, for quhome he nevir become cautioun as said is. And anent the charge gevin to the said Andro Dudingstoun of Sowthous, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, the said day being bipast, he sould be denunceit rebell and put to the horne, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun. Quhilkis being callit, and the said James Broun comperand personalie, and the said Andro Dudingstoun of Sowthous being alsua personalie present, with Carmichaell elder of that Ilk,—be quhome it wes allegeit that the said James become cautionar for the entre of the said Walter Hendirsoun, and offerit him to preif the samyn be the indent maid thairupoun and utherwayis as efferit. And for productioun thairof and verificatioun of the said allegeance, desyrit ane day to be assignit to him; quhilkis with diverse utheris the ressonis and allegationis of bayth the saidis partiis being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, assignis to the said Andro Dudingstoun the xxviii day of Marche instant for productioun of the said indent befoir thair Lordships; and ordanis letters to be direct, chargeing Patrik Twedy in Drummelyeare and David Creichtoun in Peblis, havaris of the said indent, to compeir befoir my Lord Regentis Grace and Lordis foirsaidis the said day, bringand with thame the said indent, to the effect that ordour may be takin heiranent as appertenis; and forder to answer in sa far as thay knaw or salbe sperit at thame in the said mater, under the pane of rebellioun, etc.; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne. And in the menetyme ordanis the said Williame Murray of Romannoss, to restoir and deliver to the said James Broun the gudis and geir takin fra him as said is, takand cautioun that the samyn salbe furthcumand to the said Williame for the said unlaw, in case it salbe fund be my Lord Regentis Grace and Counsale that the said James Broun become souirtie for the entre of the said Walter Hendirsoun in maner abonewrittin.

The quhilk day, Gilbert Menzies of Cowly is becum actit and obleist of his awin confession and consent, that at his returning to Abirdene he sall behave himself as ane obedient member of the Kirk of God, sall frequent the sermons, and be participant of the sacraments with his brother and neighbours, and sal be subject to the discipline of the ministry and session of the Kirk; and in caise he failye thairin, the said Gilbert himself

as principall, and Robert Turing of Fovern as pledge and sourtie for him, ar becum actit and obleist that the said Gilbert sall entir befoir my Lord Regentis Grace and Lordis of Secreit Counsale quhen he sal be required on xv dayis warning, to answer upoun his default, and sic other thingis as sal be inquirit of him at his cuming, under the pane of ane thousand punds. In respect of the quhilk souirtie now fund, dischargeis the said Gilbert and Williame Hay of Delgatie his souirtie fund of befoir for the said Gilbertis remaning in ward within the Burgh of Edinburgh. And the said Gilbert obleist him to releif the said Robert of all pane and dangeare, etc. Sic subscribitur: Robert Turing of Foverne with my hand. Gilbert Menzeis with my hand.

[Holyrood House, 19th March.]

Sederunt.—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Joannes Comes de Montroise. Robertus Comes de Buchane. Andreas Comes de Rothes. Willelmus Magister de Marschell. Patricius Dominus Lindesay. Robertus Dominus Boyd. Allanus Dominus Cathcart. Dunfermling, Clericus Justiciarie. Advocatus.

Patrik Walter.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Patrik Walter, Maister Stabillar for the tyme to George Erll of Huntlie, and houshald man to him during the tyme of the lait troubles within Edinburgh, makand mentioun;—that quhair be the accord of the Pacificatioun concludit at Perth, the xxiii day of Februare, the yeir of God j^{m}v^{c}lxxii yeris, it is providit and sensyne declarit and statute be Act of Parliament, that the said Erll, his kin, freindis, servandis, partakeris and utheris dependaris, ar frelie remittit and dischargeit of all actionis, crymes, transgressionis and offenssis quhatsumevir committit be thame or ony of thame in tymes bigane aganis ony oure Soverane Lordis liegis, be occasioun of the commoun caus or ony thing depending thairon sen the xv day of Junii, the yeir of God j^{m}v^{c}lxvii yeris,—exceptand certane crymes of thift, sorcerie and utheris mentionat in the said Pacificatioun and Act of Parliament, as the samyn mair fullelie beris; be the quhilk it is manifest that thay nor nane of thame, sould be callit troublit or persewit, for ony cryme or offence committit be occasioun of the said commoun caus in ony tymes cuming. Nevirtheles Archibald Seigneour, allegeand that in the moneth of Apryle lxxii, the said complenar tuke fra him ane hors furth of ane stabill in Abirdene; and siclyke Thomas Ross sone to James Ross burges of Edinburgh—and the said James his fader and administratour for his interes—allegeing that in the moneth of September, the yeir of God lxxi, the said Patrik tuke him betuix Leith and Edinburgh,—quhilk wes the same nycht the tutour of Petcur wes takin—and than tuke fra him his dag, swerd, and certane gold upoun him, as he allegeis. Thay have thairupoun intentit actioun aganis the said complenar befoir the

Archibald Seigneure.

Provest and Baillies of Edinburgh, and compellit him to find cautioun, to answer on Settirday nix to cum, to that effect, stayand the said Patrik in this toun to his greit troubill and skayth, and intendis to get proces aganis him befoir the saidis Provest and Baillies thairfoir; albeit gevand the saidis crymes wer of veritie, yit the samyn being remittit be the said Pacificatioun and Act of Parliament foirsaid he aucht not to be now troublit nor persewit for the samyn; bot in sa far as he wes houshald man and servand to the said Erll, for the cryme he aucht to have the benefite of the said Pacificatioun and Act of Parliament, and the saidis personis dischargeit of all troubling and persewing of him for the caussis foirsaids, as alsua the saidis Provest and Baillies dischargeit of all proceding thairin aganis the said complenar. And anent the charge gevin to the said Archibald Seigneour, Thomas Ross and James Ross his fader, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to heir and se thame dischargeit of all calling, troubling or persewing of the said Patrik Walter for the foirsaidis crymes, committit at the tyme abonewrittin for the caussis foirsaidis; or ellis to schaw ane ressonabill caus quhy the samyn sould not be done; with certificatioun to thame and thay failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne in maner abonewrittin, lyke as at mair lenth is contenit in the said complaynt. Quhilkis being callit and bayth the saidis partiis comperand personalie, thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, findis in respect of the said Patrik Walteris awin confessioun maid in thair presens, that he is na wayis comprehendit under the said Pacificatioun; and thairfoir remittis the said mater agane to the saidis Provest and Baillies, to be decydit be thame as accordis of the law, notwithstanding the said allegeance.

Johne Cranstoun and Johne Edmestoun of that Ilk.

Anent the terme assignit to Johnne Cranstoun in Monktounhall, for preving of the complaint gevin in be him to my Lord Regentis Grace and Lordis of Secreit Counsale, aganis Johnne Edmestoun of that Ilk, for the mannassing of James Tempiltoun messinger, and drawing of wappynnis to him for his slauchter upoun the secund day of Marche instant, be Robert Turnet, Archibald Carnbe, and utheris thair complices, servandis to the said Johnne Edmestoun, and of his causing and command; the said James being than executand oure Soverane Lordis letters rasit at the instance of the said Johnne Cranstoun, as at mair lenth is contenit in the said complaint. The said Johnne Cranstoun producit oure Soverane Lordis letters dewlie execute and indorsat, upoun the said James Tempiltoun, Johnne Broun messinger, Robert Murray, James Beith and Cassin Boill, chargeing thame to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to beir leill and suithfast witnessing, in sa far as thay knew or sould be sperit at thame, in the said mater, under the pane of rebellioun and putting of thame to the horne, as the saidis letters at mair

lenth beris. Quhilkis being callit; the saidis Robert Murray, Cassin Boill and James Beith comperand personalie, the saidis Johnne Cranstoun and Johnne Edmestoun being alsua personalie present, and the said James Tempiltoun and Johnne Broun not comperand. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, assignis to the said Johnne Cranstoun the thrid day of Apryle nix to cum for doing of forder diligence upoun the personis not comperand, and ordanis letters to be direct, chargeing thame yit as of befoir, to compeir befoir thair Lordships the said day; that is to say, the said James Tempiltoun, to verifie his said indorsatioun, and the said Johnne Broun, to beir leill and suithfast witnessing in sa far as he knawis or salbe sperit at him in the said mater, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne, and to escheit, etc.; and in the menetyme contineuis the said mater in the same forme, etc., the personis present warnit heirto apud acta.

[Holyrood House, 20th March.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis. Robertus Dominus Boyd. Episcopus Orchadensis. Commendatarius Dunfermling. Clericus Registri. Dowglas de Quhittinghame. Joannes Erskin de Dun. Lundy de eodem. Joannes Wischert de Pettarro miles.

Mr. Johne Elphinstoun.

Anent the supplicatioun presentit be Maister Johnne Elphinstoun Persoun of Innernochty to the Generall Assemble of the Kirk, and fra thame to my Lord Regentis Grace and personis nominat for treating of the effairis of the Kirk, makand mentioun;—that quhair he is gevin in as he is informit be the Collectouris of Abirdene as at the horne, for non payment of the thrid of his said Parsonage thir diverse yeris bigane, extending yeirlie to fifty markis, quhairin he is wranguslie delt with be the saidis Collectouris,—be ressoun it may be heirwith be persavit quhat the Superintendent of Angus and Commissionar of Abirdene having commissioun in this caise hes declarit towart his said thrid part and quhat acquittances and dischargeis he hes presentlie schawin of payment of the same—humelie requiring to tak sic ordour as he be na wayis troublit be utheris for that thing quhilk he hes payit, be assignatioun ordinance and appointment of the said Generall Assemblie, bot that he may be deleit furth of the restis gevin in be the saidis Collectouris, and relevit of the dangeare of the said horning. Quhilk supplicatioun being ryplie advisit be the Regentis Grace and the Lordis and utheris appointit and nominat for the saidis effairis of the Kirk, eftir consideratioun of the circumstances and of the requeist of the Generall Assemble, thay have commandit and ordanit, and be the tennour heirof commandis and ordanis all the restis of the said Maister Johnne Elphingstonis thrid, sen the yeir of God $j^{m}v^{c}$ thre scoir sex yeris to the thre scoir threttene yeir instant, to be deleit and dischargeit; and consentis that the said

Maister Johnne be relaxt simpliciter fra the proces of horne led aganis him thairfoir, in respect of his said acquittances produceit of compleit payment.

David Commendatare of Dryburgh.

Anent the supplicatioun presentit to the Generall Assemble of the Kirk be David Commendatare of Dryburgh, and fra the same remittit to the Regentis Grace and personis nominat for treating of the effaris concerning the Kirk, makand mentioun;—how the Abbay of Dryburgh, Pryorie of Inchemahom and Archedenerie of Brechin, wer gevin be the Princes for the tyme, in reward of service, to umquhile the Erll of Mar lait Regent to oure Soverane Lord, his realme and liegis, and his brethir and freindis of his hous,—the titillis of the same benefices ar now in the persoun of the said Commendatare, althocht litill of the proffeit thairof. Nevirtheles, he is gevin in be the Collectouris in thair comptis as restand and at the horne for the thridis of his saidis benefices of diverse yeris bigane; quhilk sowmes now calculat cumis to greit sowmes of money, far abone his abilitie to pay, howbeit fra the first Act of the thridis unto the Kingis coronatioun he had his saidis thridis alwayes dischargeit be the Quene oure Soverane Lordis moder than bering authoritie. And sensyne having trewlie servit in the commoun caus of defence of the religioun and manteinance of the King oure Soverane Lordis authoritie, he hes spendit not onelie the haill thing quhilk he could haif of the saidis benefices, bot large sowmes besydes takin on his credeit, for payment quhairof he standis indettit, nevir thinking to have bene put at for payment of his saidis thridis, in consideratioun that frome the begynning he had bene owerlukit and not preissit with payment thairof; humelie requiring in consideratioun of the premissis that he mycht be dischargeit of his saidis byrun thridis, and relevit of the dangeare of horning, usit or to be usit aganis him thairfoir. Quhilk supplicatioun being ryplie avisit be the Regentis Grace and the Lordis and utheris appointit and nominat for the saidis effairis of the Kirk, eftir consideratioun of the circumstances and of the requeist of the Generall Assembly maid to the effect underwrittin, thay have in ane voce dischargeit and be the tennour heirof dischargeis the said Commendatare of his saidis byrun thridis, of all yeris bigane preceding the crop and yeir of God $j^{m}v^{c}$ thre scoir threttene yeris instant, and will, grantis and consentis that he be simpliciter relaxt fra the saidis horningis in tyme cuming.

Johne Stewart of Mynto knicht.

Anent the supplicatioun presentit to the Generall Assembly of the Kirk be Sir Johnne Stewart of Mynto knycht, and fra the same remittit to the Regentis Grace and personis nominat for treating of the effairis concerning the Kirk, makand mentioun;—that quhair the gude, trew, and thankfull service done be the said Sir Johnne, in avancement and furthsetting of the commoun caus of religioun and of oure Soverane Lordis authoritie and service, is not unknawin, and how that not onelie he hes had the blude of his maist speciall freindis spilt, bot alsua thameselffis and thair gudis maid pray at all occasionis during the lait troubles bipast, and a greit part of

his landis wedset to set fordwart the said service. And it is of veritie that eftir the murthour of umquhile James Erll of Murray Regent that restis with God, the said Sir Johnne Stewart having than the keping of the Castell and Stepill of Glasgow, being ane of the principall keyis of the cuntre, the necessitie of the tyme constranit him not onelie to dispone upoun the reddiest thing he had in the warld, and to sute be all meanis the help of freindis—attour the silver takin upoun his landis at that same tyme—bot alsua to tak up a greit part of the thrid of the bischoprik of Glasgow of the yeir of God j^{m}v^{c}lxix yeris for keping and furnissing of the said Castell and Stepill, and setting furthwart of the uther commoun effairis than ado—and that be the allowance of Mr. Andro Hay commissionar in that part, and Maister David Wemys minister at Glasgow,—quhilkis thocht it les convenient that the said thrid sould be sa usit nor uptakin be the innemeis to manteine the adverse caus. Nochtwithstanding James Boyd collectour in the west hes chargeit the said Johnne Stewart to mak payment agane of the said yeir, as alsua the tenentis and utheris addettit in payment of the said thrid, albeit the same wes intromettit with and applyit be him in maner foirsaid, the necessitie of the tyme sa craving, and not found evill be the saidis commissionar and minister, as said is. And sa without remeid be providit, not onelie will the tennentis be sair troublit and compellit to mak dowbill payment, bot alsua the said Johnne Stewart to be haldin to releif thame; quhilk he is verie unabill to do without utter wrak and heirschip—quhilk he traistis is not socht, bot rather thocht convenient that he be na hardlier handillit nor the inymeis that bestowit the rentis takin up be thame aganis the caus of religioun and oure Soverane Lord and his authoritie; humelie beseking, in consideratioun of the premissis, that he mycht be dischargeit of the said thrid intromettit with and uptakin be him, of the crop and yeir of God j^{m}v^{c}lxix yeir foirsaid, and relevit of the dangeare of horning usit or to be usit aganis him thairfoir. Quhilk supplicatioun being ryplie advisit be the Regentis Grace and the Lordis and utheris appointit and nominat for the saidis effairis of the Kirk, eftir consideratioun of the circumstances and of the requeist of the Generall Assembly maid to the effect underwrittin, thay have in ane voce dischargeit, and be the tennour heirof dischargeis the said Sir Johnne Stewart of Mynto knycht, of the said thrid of the yeir of God j^{m}v^{c}lxix yeir foirsaid, and will and grantis and consentis that he be simpliciter relaxt fra the said horning in tyme cuming.

Alexander Commendatare of Culross.

Anent the supplicatioun presentit to the Generall Assembly of the Kirk be Alexander Commendatare of Culross, and fra the same remittit to the Regentis Grace and personis nominat for treating of the effairis of the Kirk, makand mentioun.—That the rentallis of the Abbacie of Culross wes gevin up utherwayis and mair rigorouslie nor ony rentall of ony uther prelacie, and the gevar of the same rentall, quha wes Williame Commendatare of the said Abbay that last deceissit, gaif up in rentall sindry thingis, of the quhilkis the place hes not bene in use of getting payment

thir thretty or fourtie yeris bigane, sic as unpayit annuellis, and presentlie na payment is gottin of the same; and the said Commendatare at the upgeving of the same belevit, as may be cleirlie sene be the rentall, that the thrid of sic unpayit dewiteis sould not have bene socht fra him, be ressoun he gat na thing of the twa part; and quhair he is chargeit with buttir and cheis, in the assumptioun that he diffesis yeirlie to the fewaris and occupiaris of the landis that payis the said buttir and cheise the sowme of half ane mark in the feu males of the saidis landis; and now he is chargeit with the thrid of bayth the silver, buttir, and cheise, quhilk aucht not to be. Quhilk supplicatioun being ryplie avisit be the Regentis Grace and the Lordis, and utheris appointit and nominat for the saidis effairis of the Kirk, eftir consideratioun thairof, thay have commandit and ordanit, and be the tennour heirof commandis and ordanis, that the sowme of fyve hundrith merkis onelie salbe chargeit for and acceptit as compleit payment for the thrid of the said Abbay in tymes cuming, according to the agreement and ordinance at Leith, in the moneth of Januare the yeir of God j^{m}v^{c}lxxi yeris; and als commandis and ordanis all the restis of the said Commendataris thrid of the Abbay of Culross foirsaid, preceding the said agreement and ordinance at Leith, to be deleit and dischargeit, and consentis that the said Commendatare be relaxt simpliciter fra the proces of horning led aganis him thairfoir.

Sederunt.—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Robertus Comes de Buchane. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Justiciarie. Advocatus. [Holyrood House, 22d March.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Williame Seytoun of Meldrum, Alexander Seytoun his sone and apperand air, and Johnne Pantoun of Pitmedden, makand mentioun;—that quhair eftir denunciatioun of Johnne Cheyne of Straloch, and diverse utheris his complices oure Soverane Lordis rebellis, and putting of thame to the horne as fugitives fra the lawis, for thair non comperance to underly the same, for art and part of the slauchter of umquhile James Gardin in Lochtullocht thair servand; quhairupoun lettres of captioun wer direct to the Shereff of Abirdene and his deputtis, for taking of the saidis rebellis, committaris of the said slauchter, and presenting of thame to the Justice, to be puneist for thair demerittis. The saidis complenaris having commissioun as deputtis specialie constitute be the said Shereff as Principall, past to the townis of Tulygrig and Bannakeddill, to have apprehendit the saidis rebellis, quhair thay wer adverteist thay wer privatlie hid within the houssis thairof for the tyme; and thair being in sobir maner accumpaneit with thair awin servandis, according to thair commissioun and letters of captioun, sercheit and socht the saidis rebellis to the effect foirsaid; traisting thairfoir na hatred nor malice sould have bene

Williame Seytoun of Meldrum and utheris.

Johne Chein of Straloch, and utheris.

consavit aganis thame be ony utheris personis, nor that na stay nor impediment sould have bene maid in the executioun of thair offices. Nevirtheles it is of veritie that Johnne Cheyn of Straloch, David Cheyn of Tullegrig, committaris of the said slauchter in particular revenge of thair malice foirsaid, hes secreitlie tyiscit, hyrit, and be all meanys possibill perswadit the kin and freindis of umquhile Thomas Sangstar in Bannakeddill, to purches, upoun thair sinister informatioun, criminall letters upoun the saidis complenaris, and thairby not onelie hes causit summond thame to underly the law thairfoir, in the Tolbuith of Edinburgh, the secund day of Appryle nix to cum, bot als of ernist and malicious dispyte, to the greit hurt of the haill cuntre, hes causit likewyis summond of the saidis complenaris servandis, freindis, tenentis, cottaris, and utheris puyr commonis, dwelland upoun thair rowmes and landis, quhais names thay have gevin in bill to the officiar, executor of the saidis letters, extending abone the nowmer of sevin scoir personis or thairby; quhilk cryme wes nayther committit be thame nor na utheris personis on lyff, bot onelie the slauchter heirof, throw perswasioun of the saidis personis allegeit to be committit be the saidis complenaris; howbeit in veritie this Sangster allegeit to be slane, wes notourlie knawin to have deit in the cuntre without straik, hurt, or ony uther occasioun ministrat to bereif his lyff, as thay sall evidentlie preif be sum of his awin freindis, at the day of law abonewrittin. And swa the saidis complenaris and thair saidis tenentis, cottaris, and utheris thair commonis, ar onelie troublit and summond be thame, that purposlie in this present tyme of thair ait seid thay may be put to travell, coistis, chargeis, and expenssis, to thair greit heirschip, skayth, and inconvenient, upoun the foirsaidis personis onelie divisit malice foirsaid, without my Lord Regentis Grace provide remeid. And anent the charge gevin to the said Johnne Cheyn of Straloch, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaint, as the samyn executioun and indorsatioun thairof at mair lenth proportis. The said Alexander Seytoun sone and air apparent to the said Williame comperand personalie, and the said Johnne Cheyn oftymes callit and not comperand. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, having respect to the present sessioun of the yeir, ordanis the Justice Clerk and his deputtis to continew the said Court, appointit to have bene haldin upoun the said secund day of Appryle nixt, to the fyft or sext day of Maii nixt thaireftir, takand cautioun of xii of the principall personis complenit upoun—sic as the said Johnne Cheyn—sall gif in bill, that thay sall compeir and underly the law the samyn day for the crymes contenit in the letters direct thairupoun, conforme to the Act of Parliament maid thairanent; and als takand cautioun of thair complices that thay sall compeir the thrid day of the nixt justice air of the Sheredome quhair thay dwell or sonar, upoun xv dayis warning, and underly the law for the same crymes, conforme to the said Act dischargeing the said Justice, Justice Clerk, and thair deputtis, of all proceding aganis thame in the menetyme, and of thair offices in that part.

William Lord Levingstoun.

Forsamekill as Williame Lord Levingstoun hes maid his dew obedience to oure Soverane Lord his Regent and authoritie in his Hienes name, and hes fundin securitie thairupoun, for him self and utheris his freindis servandis and partakaris now propirlie depending on him, as his obligatioun registrat in the bukis of Counsale thairupoun at mair lenth proportis. Quhairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, be the tennour of this present Act, frethis and relevis him, Dame Agnes Flemyng his spous, and Alexander Maister of Levingstoun thair sone, of all bandis and promeissis maid for the entre of the saidis Dame Agnes and Alexander hir sone, befoir my Lord Regentis Grace and Counsale, or for randering and delivering of the said Lordis hous of Callendar; and dischargeis thame and thair cautionaris contenit thairin thairof, and of all pane and dangeare that thay may incur thairthrow for evir; ordinand the same to be deleit furth of the bukis of Secreit Counsale, swa that thay tak na effect nor executioun in ony tyme heireftir.

[Dalkeith, 28th March.] Caution for Mr. Johnne Ogilvy.

The quhilk day James Adamsoun burges of Edinburgh, become actit and obleist that Maister Johnne Ogilvy persoun of Cowden, now remaning in Lovane, sall returne within this realme and present himself befoir the Regentis Grace and Previe Counsale, to underly sic ordour and directioun as salbe gevin unto him, concerning his professioun of religioun, conforme to the lawis of this realme and Actis of Parliament, betuix, and the first day of September nix to cum, under the pane of ane thowsand pundis; in respect of quhilk souirtie fund, his Grace grantis and commandis, that the summondis execute aganis the said Maister Johnne to compeir the sext day of Maii nix to cum, sall ceis and desert, and that the arreistment and sequestratioun maid upoun the frutis of his benefice salbe lowsit, swa that his factouris or takkismen in his name may be answerit and obeyit thairof quhill the said day of his comperance befoir the Regentis Grace and Previe Counsale in maner foirsaid. Sic subscribitur: James Adamsoun.

[Holyrood House, 9th April.] A Charge to Bischoppis, Superintendentis, etc., to try Ministeris.

Forsamekill as my Lord Regentis Grace bering charge of the Governament of this realme during oure Soverane Lordis les aige, remembering his Majesties kinglie office and dewitie in the conservatioun and purgatioun of the trew and Cristiane religioun; and thairthrow considering that—althocht the evangell has bene sinceirlie precheit be the space of fourtene or fyvetene yeris bigane ower all this realme, and all superstitioun and fals wirschipping of God be the lawis and Actis of Parliament abolissit,—yit ar a greit nowmer of kirkis destitute of all maner of ministratioun of the Word of God and sacramentis, to the greit hurt and prejudice of the people of God, parrochynnaris thairof, being alyke subject to the payment of thair teindis and utheris ecclesiasticall rentis, as in the places quhair the ministerie is alreddy plantit and providit; and understanding likewyis that be the facilitie or negligence of sum of the Archebischoppis, Bischoppis, Superintendentis and Commissionaris of the Dioceis and Provinces of this realme,

sindry personis ar admittit to the office and functioun of ministery and reading in the Kirk, not being abill and qualifiit thairfoir; and utheris albeit at thair admissioun thay gaif sum pruif of qualificatioun, yit makis na residence at thair kirkis and places appointit dischargeing thair office and dewitie as appertenis; aud sua ar the people and parochineris committit to thair cure frustrat and disapointit of the spirituall fude of thair saullis; and notwithstanding the saidis unleirnit and unqualifiit ministeris and redaris ar not diligentlie and exactlie tryit, tuicheing thair lyffis and doctrine, nor yit ar the unresident personnis admoneist, and be executioun of the discipline and censures of the kirk aganis thame urgeit to do and discharge thair dewiteis to thair parochynneris as becumis thame. For remeid of quhilkis inconvenientis, my Lord Regentis Grace, with avise of the Lordis of Previe Counsale, ordanis letters to be direct, to command and charge all and sindrie the Archebischoppis, Bischoppis, Superintendentis and Commissioneris of Diocyis and Provinces within this Realme, that thay and every ane of thame for thair awin part, according to thair dewiteis, feid the people of God committit to thair chargeis, with the Word of God, and baith publictlie and privatlie edifie the Kirk with sound doctrine. As alsua that thay cairfullie and with all expeditioun, provide qualifiit and lernit ministeris, of sound doctrine and honest lyff and conversatioun, sa far as is possible, and plant and place thame at the kirkis and rowmes destitute of pastouris and ministratioun ower all the realme, quhair thair is and salbe competent levingis appointit and providit for thair sustentatioun. And in likemaner, that the saidis Archebischoppis, Bischoppis, Superintendentis and Commissioneris, with the like cair diligence and circumspectioun, tak sure triall of the lerning habilitie and forme of leving, of the personnis alreddy admitit and placit be thame in the functioun of the ministery—alsweill ministeris as reidaris; gif thay be of sound doctrine, irreprehensible in thair lyffis and conversationis, and apt to edifie in the Kirk of God. And quhair the personnis ellis placit and admittit salbe found unable for the charge in default of leirning and of the giftis of God requisite in persounis occupying that functioun, or negligent and not dischargeing thair dewiteis at thair appointit kirkis, and not making residence at the same—to displace and deprive thame frome the ministery, reding and spirituall charge in the Kirk; or then with sum les correctioun be the dew and ordinar discipline of the Kirk, to admonishe and chastise thame according to the degreis of thair inhabiliteis offences or unwerthynes; and thairupoun that the saidis Archebischoppis, Bischoppis, Superintendentis and Commissioneris, report thair exact and unfeinyeit diligence in every particular caise to oure Soverane Lord and his said Regent in his name, betuix, and the sext day of August nix to cum, as thai and every ane of thame will answer to God on thair conscience, and to our Soverane Lord upoun thair dewitie, allegeance and obedience.

Sederunt—Jacobus Dominus Regens. Georgius Comes de Caithnes. Laurentius Dominus Oliphant. Adame Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 27th April].

To denunce Alexander Dunbar of Cumnok, James Dunbar of Mawarstoun, and utheris.

Anent our Soverane Lordis letters raisit at the instance of Maisteris David Borthuik of Lochill and Robert Creichtoun of Eliok, his Majesties advocattis, and Patrik Dunbar fear of Cumnok and Archibald Stewart burges of Edinburgh for thair interesse; makand mentioun—That quhair it is notourlie knawin to my Lord Regentis Grace and Lordis of Secreit Counsall that Alexander Dunbar frank tenementar of Cumknok, Sheref of Elgin and Fores, hes during all the tyme of the lait troublis plainlie rebellit aganis oure Soverane Lord and his authoritie, and as yit hes not subject himself to his Majesties obedience, nor ressavit his Hienes favour; bot plainlie contempnand all gude lawis and ordinances, hes usurpit ane tyrannical jurisdictioun of the said Scherefship and of the Provestrie of the Burgh of Fores, drawand ane greit nowmer of our Soverane Lordis meane subjectis to a rebellioun aganis his Majestie and his authoritie, and to a plane seditioun in the cuntrie quhair he dwellis; takand the grittar occasioun of his mischevous interprysis throw the distance of that place quhair he remanis frome the sait and place of ordinar justice; putting himself thairby in sure esperance that he sall not be punist for his demerittis; takand na feir of oure Soverane Lordis authoritie and lawis,—in respect that the said Alexander is oft and diverse ordourlie denuncit his Majesties rebell and put to the horne for his attemptattis alsweill committit aganis his Hienes authoritie royall, as for non fulfilling of diverse decreittis obtenit aganis him at the instance of sindrie persounis his creditouris,—and forder assistit and manteinit in all his wickit interpryissis be ane greit nowmer of brokin men and seditious persounis dalie committand maist manifest wrang and oppressioun upoun his Majesties subjectis, thair being na judge ordinar in the cuntrie quhom to the persounis maist miserabillie handillit dar or may compleine;—as laitlie, the said Alexander, James Dunbar of Mawerstoun, James Dunbar of Morten, Paull Dunbar of Boghoill, and Gawin Dunbar, Archedene of Murray, with thair complices, come to the said Patrikis Corshous at the syde of Innerspey,—sett be him with consent and assent of the said Alexander in tak and assedatioun to the said Archebald Stewart, havand richt for termes to ryn of the half cobill and thrid part cobillis fischeing of the said water,—and thair maisterfullie and perforce ding up the durris thairof, enterit thairintill, spuilyeit and awaytuik the nettis and cork furth of the samyn, and violentlie intromettit with the fische cobillis; and hes labourit the saidis fischingis continewallie sensyne, not only to the extreme injurie and hurt of the saidis Patrik and Archibald complenaris, bot alsua to the maist detestable exemple to all oure Soverane Lordis gude subjectis in thay partis to do the like gif thir haynous interpryissis and utheris grevous attemptattis abyde unpunist. And anent the charge gevin to the saidis personis to compeir personalie

befoir my Lord Regentis Grace and Lordis of Previe Counsall at ane certane day bipast, to answer upoun the saidis wrangis end enormiteis, and to underly sic ordour and punishement thairfore as suld be thocht expedient,—and forder, to have answerit to sic uther thingis as sould have bene laid to thair charge at thair cuming,—under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failyeit, letters suld be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The said Maister David Borthuik, Patrik Dunbar and Archibald Stewart comperand personalie, with Maister Johne Scharp prelocutour for the saidis Patrik and Archibald; the said Paull Dunbar of Boghoill comperand alsua personalie, quha denyit the said complaint and haill contentis thairof for his part; and the remanent persounis abonewrittin complenit upoun oftymes callit and not comperand. Quhairfore my Lord Regentis Grace, with avise of the saidis Lordis, admittis the said complaint safer as it may extend upoun the said Paull Dunbar, to the saidis complenaris probatioun, and for preving thairof, assignis to thame the xxiiii day of Maii nix to cum; and ordanis thame to have letters to charge sic witnessis as thai pleis for preving of the samyn, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall the said day, to beir leill and suithfast witnessing in sa fer as thai knaw or salbe sperit at thaim in the said mater, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, letters salbe direct to charge thame simpliciter thairto; and in the meintyme continewis the said mater, in the same forme force and effect for the part of the said Paull as it is now, but prejudice of partie, unto the said day; baith partiis warnit heirto apud acta. And attour, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and denunce the saidis Alexander Dunbar of Cumnok, James Dunbar of Mawerstoun, James Dunbar of Norten, and Gawin Dunbar Archedene of Murray, oure Soverane Lordis rebellis and put thame to the horne; and to escheit and inbring all thair movable guidis to oure Soverane Lordis use for thair contemptioun, becaus thai being lauchfullie summond, oftymes callit as said is, comperit not.

[Holyrood House, 29th April.] Mr. Richard Spens.

Patrik Lord Gray.

Sederunt Domini ut in die predicto.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Maister Richard Spens, makand mentioun;—that quhair he obtenit ane decreit of the Lordis of Counsall and Sessioun aganis Patrik Lord Gray, decerning him to flitt and remove fra ane quarter of the toun and landis of Nether Durdie, liand within the regalitie of Scone and sherefdome of Perth; and raisit letters in all the foure formes thairon, and causit denunce him rebell; quha hes continewallie remanit at the horne be the space of aucht yeiris bipast; quhill this yeir he allegeit him to be relaxt be virtew of deliverance of the saidis Lordis; and sa fer as the said complenar knew the samyn, he summond the said Lord for productioun of the saidis letters of suspensioun, and to heir the samyn

annullit, and the said Mr. Richardis letters to be putt to forder executioun; and speciallie be reasoun he wes never summond to heir him relaxt, etc., and hes obtenit ane uther decreit. Quhilk decreit and letters in foure formes, he did intimie agane to the said Lord, and denuncit him rebell agane; quha remanis at the said horne, and cumis quhair he pleissis and abydis in Edinburgh, takand na cure thairof, oppressand the said complenar thairthrow, in hie contemptioun of God and all authoritie, he payand thairfore yeirly foure scoir merkis be the said space, and can gett na remeid; bot he, his fader, with sevin bairnis, thairthrow putt to extreme povertie, be reasoun thai have na uther thing to leif upoun, to thair grit skayth. And anent the charge gevin to the said Patrik Lord Gray, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to heir and se letters gevin, chargeing him to pas and enter his personn in ward within the Castell of Dunbartane, thairin to remane upoun his awin expenssis, ay and quhill he have fulfillit the command and tennour of the saidis utheris letters, and obtene himself relaxt fra the proces of the said horne within aucht dayis efter the charge under the pane of tressoun; or ellis to schaw ane reasonabill [cause] quhy the same suld not be done; with certificatioun to him and he failyeit, my Lord Regentis Grace and Lordis foirsaidis wald ordane the saidis letters to be direct in maner abone writtin, like as at mair lenth is contenit in the said complaint. The said Maister Richard comperand personalie, and the said Patrik Lord Gray being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing the said Patrik Lord Gray, to pas and enter his persoun in ward within the Castell of Dunbartane, thairin to remane upoun his awin expenssis, ay and quhill he have fulfillit the command and tennour of the saidis utheris letters, and obtene him relaxt fra the said proces of horne, within aucht dayis nixt efter he be chargeit thairto under the pane of tressoun, and that he cum to the secretare, etc.

[Holyrood House, 1st May.] Johne Blinseill put in keping.

The quhilk day Johnne Blinseill wes deliverit in keiping of Williame Lord Ruthven quha obleist him to enter him befoir my Lord Regentis Grace and Lordis of Secreit Counsall as he salbe requyrit upoun lauchfull warning.

[Holyrood House, 12th May.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Georgius Comes de Caithnes. Gulielmus Dominus Ruthven Thesaurarius. Alexander Dominus de Saltoun. Georgius Episcopus Moraviensis. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus.

Act anent licence gevin to Adam Gordoun and utheris.

Anent oure Soverane Lordis letters raisit at the instance of Maister David Borthuik of Lochill, his Hienes advocate, makand mentioun—That quhair

in the articlis of Pacificatioun maid and concludit upoun at the burgh of Perth upoun the xxiii day of Februare, the yeir of God j^{m}v^{c}lxxii yeiris, ratifiit and apprevit in Parliament, it is providit statute, and ordanit, that nane of the subjectis of this realme sall, directlie or indirectlie, be thame selffis, assist, fortefie, supplie, or schaw favour to, ony subjectis of this realme or strangearis that sall privilie practize or oppinlie pretend ony tressonable fact, uprore, or hostilitie, aganis the trew religioun of Jesus Christ now publictlie precheit and establishit within this realme, or the persoun of oure Soverane Lord, his Regent and royall authoritie in tyme cuming, under the panis of the law; and forder, in caise ony personn returning or that suld happin to be ressavit to his Majesties obedience did in the contrair, and resistit not the tressonable factis, uproris and hostiliteis at the uttirmaist of thair poweris, his Hienes remissiounis and pardonis grantit, nor na uther benefites of the said Pacificatioun to be extendit in thair favoure thairefter; bot thay to be persewit and punist for thair offences bipast, as gif na remissioun, pardoun, or pacificatioun, had bene grantit to thame thairfore. Sen the making and conclusioun of the quhilk pacificatioun and ratificatioun of the same in Parliament, Adame Gordoun of Auchindoun, obtenit our Soverane Lordis licence to depart furth of this realme to France or utheris partis beyond sey, for certane space of yeiris yit to ryn; with speciall provisioun and conditioun that he sall do nor procure na thing in hurt or prejudice of his Hienes, his realme and liegis. Nevirtheles, as the said Advocate is informit, the said Adame, unmyndfull of his allegeance aucht to his Majestie and of the favour and grace of his Hienes be the said Pacificatioun, and expres aganis the said licence and provisioun abonewrittin contenit thairintill, be himself and James Halkerstoun, Thomas Ker, Alexander Duff, James Futhy, and Andro Hering his servandis and dependaris, hes privilie practizit and oppinlie procurit sindrie tressonable deidis, tending to the raising of uprore and hostilitie aganis the saidis trew religioun and the persoun of oure Soverane Lord, his said Regent and royall authoritie, in hie and manifest contemptioun of his Hienes authoritie and lawis, and in evill exempill of utheris to do the like gif this be sufferit to remane unpunist. And anent the charge gevin to the said Adame Gordoun of Auchindoun and remanent personis abonewrittin, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall, at ane certane day bigane,—bringand with him his said licence, to be sene and considerit, and to heir and se the same declarit, to have bene violat and contravenit be him in the conditioun and provisioun abone specifiit contenit thairin,—and thairfore the same to ceis and have na farder force nor effect in ony tyme to cum thairefter for the caussis foirsaidis; and forder to answer to sic thingis as suld be laid to thair charge; or ellis to allege ane ressonable caus quhy the same sould not be done; with certification to thame and thay failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne the said licence and all privilegeis thairin contenit to ceis and have na forder force nor effect in tyme cuming, bot the said Adam to be callit, persewit, usit and punist as gif the said licence

had not bene gevin nor grantit; or as gif thai had past furth of this realme without licence, lyke as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. The said Advocate comperand personalie, and the saidis Adame Gordoun and remanent personis abone writtin nor nane of thame not comperand; my Lord Regentis Grace; with avise of the Lordis of Secreit Counsall, decernis the foirsaid licence gevin to the said Adam and the utheris personis abone mentionat,—and all privilegeis thairin contenit,—to ceis and have na forder force nor effect in tyme cuming; and ordanis the said Adam to be callit, persewit, usit and punist as gif the said licence had not bene gevin nor grantit, and as gif thai had past furth of this realme without licence.

[Holyrood House, 15th May.] To denunce Williame Crychtoun.

Forsamekle as anent our Soverane Lordis letters direct, makand mentioun. Forsamekle as albeit be the lawis and lovable custum of this realme, all Erllis, Lordis, Baronnis and Frehalderis within the boundis of the wardanriis ar subject and debtbund to await upoun his Hienes wardanis at the dayis of Marcheis, and to furthsett and advance his Majesties service be thair presence, advise and counsall for the honoure and commoun weill of this realme: Nevirtheles as oure Soverane Lord his Hienes Regent and Lordis of his Majesties Privie Counsall ar informit credibillie, Williame Creychtoun tutoure of Sanquhair, not only absentit himself fra the dayis of trew kepit at the West Marche of this realme betuix Johnne Lord Maxwell, wardane, and the Wardane of the opposite Merche,—haldand bak fra our Soverane Lordis service ane grit nowmer of his Hienes liegis quhilkis of dewitie aucht to haif bene present at the saidis metingis,—bot als the said Williame Creichtoun, tutoure foirsaid, as having the charge of Sherefschip of the scherefdome of Drumfreis, purpoislie sett and held Sheref Courtis within the burgh of Dumfreis or utheris partis of the said sherefdome upoun the self same dayis that the dayis of trew held; and thairin procedit in diverse and sindrie caussis aganis the personnis quhilkis war actuallie present in his Majesties service at the saidis dayis of trew partiallie and to thair grit hurt and prejudice gif tymous remeid be not providit. And anent the charge gevin to the said Williame Creichtoun of Sanquhair to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer upoun his dissobedience and contempt, and to have hard him decernit to have bene punist in body and guidis thairfore according to the qualitie of his offence, and directioun and commandiment gevin for gude reull and ordour in tyme cuming under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters suld be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis letters, executiounis and indorsatiounis thairof. Quhilkis being callit upoun the last day of Aprile last bipast, and the said Williame comperand personalie, allegeit he had ane exemptioun fra the saidis dayis of trew for him self and utheris his kin and freindis. Quhairfore my Lord Regentis [Grace] with avise of the saidis Lordis, assignit to him this day, viz., the xv day of Maii instant,

to compeir personalie with the principallis of his said kin and freindis, and to produce the said exemptioun to be sene and considerit; with certificatioun gif he failyeit, letters suld be direct simpliciter to put him to the horne; at the quhilk day he being newlie callit, and nowther be himself nor be ony of his saidis kin and freindis not comperand, my Lord Regentis Grace thairfore, with avise of the Lordis of Previe Counsall, ordanis letters to be direct to officiaris of armes, shereffis in that part, chargeing thame to pas and denunce the said Williame Creichtoun our Soverane Lordis rebell, and put him to the horne, and to escheit, etc.

[Holyrood House, 18th May.] [Thomas Scott of Abbotishall and Patrick Hepburne younger of Wauchtoun, sureties that Colyne M'Canzie of Kintaill remain in Edinburgh till freed. Penalty ten thousand pounds, Patrick Lord Lindsay of the Byres undertaking to relieve them. Hence James Scrymgeor of Dudhope and James Hering of Glasclone relieved of obligation for the entry of Colin on 20th.]

Williame Sinclair of Rosling. The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsall, comperit Williame Sinclair of Rosling knicht, and desyrit this letter underwrittin to be insert and registrat in the buikis of Secreit Counsall to remane thairin ad perpetuam rei memoriam; quhilk desyre the saidis Lordis finding reasonable, hes ordanit the same to be registrat in the saidis buikis: of the quhilk the tennour followis: Rex. We and oure derrest cousing James Erll of Mortoun, lord of Dalkeith, Regent to us, oure realme and liegis, understanding that oure lovit William Sinclair of Rosling knicht wes commandit be our utheris letters in the moneth of Maii, the yeir of God j^{m}v^{c}lxxii yeiris, to enter his persoun in ward within our burgh of Striviling, thair to remane quhill he war relevit be us and oure umquhile Regent Johnne Erll of Marr furth of the same; and thairefter he behaving himself faithfullie obtenit grittar libertie and enlargeing of his warding to mylis about our said burgh that he micht repose him self and haif mair eise in his warding unto the tyme sufficient experience war had of his debtfull behaviour, quhairby he micht be fullelie deliverit of the said ward, conforme to the quhilk we and our said Regent have understand the said Sir Williame to have obedientlie and faithfullie usit himself, and of gude mynde to continew thairintill, sua that na cryme nor offence aganis us, our authoritie or Regentis, may in ony wyise be imputt to him nor layd to his charge. Thairfore in consideratioun thairof and for utheris reasonable caussis and considerationis moving us, we, with avise and consent of our said Regent, be thir our letters, relaxis and relevis the said Maister Williame furth of the said ward, declaris him self frie and to pas and repas in tyme cuming at his plesour, notwithstanding ony our letters or chargeis execute upoun him in tymes bigane or ony cautioun fundin be him for remaning and entering in ward

conforme thairto, or ony panis or actis maid thairupoun; quhilk we alluterly discharge and declaris the samyn to be void and of na effect in tymes cuming; and thairfore dischargeis him, Mr. David M'Gill advocat, and Mr. Johnne Henrysoun of Bengour, cautioneris and souirteis for him, of the pane of ten thousand pundis contenit in thair obligatioun actit in our buikis of Secreit Counsall for the said Sir Williames sure remaning in the said ward,—and of all actioun we and our said Regent had, hes, or may have thairfore; and consentis thir our letters be registrat in the saidis buikis of Secreit Counsall to remane thairin ad rei memoriam, commanding our clerkis and keparis thairof to registrate the samyn as thai will answer to us thairupoun, be thir oure letters subscrivit be our said Regent at Halyrudhous the xviii day of Maii, and of our regne the sevent yeir 1574. Sic subscribitur: James Regent.

[Holyrood-House, 25th May.] Thomas Johnstoun of Craigaburn, etc., to denunce Arche Armstrang and utheris.

Anent oure Soverane Lordis letters raisit at the instance of Thomas Johnstoun of Craigaburne, makand mentioun.—That quhair upoun the xvii day of Aprile instant Arche Armstrang and Fergy Armstrang, brother to Williame Armstrang callit Will of Kinmonth, with thair complices, come to his landis and heretage of Failfute under silence of nicht, and thair maisterfullie reft and tuik away twa horse and mearis, with the haill insicht guidis and geir being within the hous of Failfute, lyke as upoun the xxiii day of the same moneth the saidis personnis with thair complices come to the Smailgillis, and thair spuilyeit, reft and awaytuik, sex horse and mearis, with the haill insicht guidis of fyve houssis thairabout, and in the meintyme crewellie hurt Adie Corry to the effusioun of his blude in grit quantitie, and left him for deid; quhilkis personis ar under the plege to the said Will of Kynmonth, of quhome the said complenar is not abill to gett ony remeid or satisfactioun without the assistence and countenance of my Lord Regentis Grace. And anent the charge gevin to the saidis Archie and Fergy Armistrangis, brether to the said Will of Kynmonth, to restoir agane to the said Thomas Johnnstoun of Craigaburne the guidis and geir takin in maner abone expremit, within sex dayis nixt efter the charge, or ellis upoun the same sext day to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall and schaw ane reasonable caus quhy thay sould not do the same, under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thai failyeit, the said day being bipast, letters suld be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis letters, executionis and indorsatioun thairof. The said Thomas Johnnstoun of Craigaburne comperand be Johne and Thomas Johnnstonis his sonnis, and the saidis Archie and Fergy Armstrangis oftymes callit and not comperand, my Lord Regentis Grace, with avise of the Lordis of Previe Counsall, ordanis letters to be direct to pas and denunce the saidis Archie and Fergy Armstrangis oure Soverane Lordis rebellis and put thame to the horne, and to escheit, etc.

Gilbert Kennedy. Anent our Soverane Lordis letters raisit at the instance of Gilbert Kennedy of Balmaclennochquhen, makand mentioun—That quhair he gaif in laitlie ane supplicatioun to my Lord Regentis Grace and Lordis of Secreit Counsall, makand mentioun,—that George Kennedy, sone to George Kennedy of Balmaclennochquhen his fader, and Johnne Kennedy his servand, wer be vertew of ane decreit and letters in the foure formes past thairupoun—obtenit be the said Gilbert befoir the Lordis of Sessioun aganis thame—ordourlie deuncit rebellis and put to the horne, for non delivering to him of his awin place and fortalice of Balmaclennochquhen, and that thairfore he raisit diverse letters, chargeing Gilbert Erll of Cassillis, Baillie principall of Carrik, to remove the saidis personis, thair servandis and complices, furth of the said place and fortalice, and enter and input the said Gilbert and his servandis thairintill to be bruikit be him as his heretage under diverse panes, and last under the pane of rebellioun and putting of him to the horne; and that the said Erll hes contemptuouslie dissobeyit the saidis haill letters and chargeis thairof, and wes thairfore upoun the aucht day of Februar last bipast ordourlie denuncit rebell and put to the horne, sua that be lang proces, grit travellis and expenssis, the said Gilbert hes usit and done all executioun and diligence possible, quhilkis may be grantit and directit to the Lordis of Sessioun for obeying of thair said decreit, and the same halelie contempnit and dissobeyit, sua that be thame na forder charge nor executioun can be obtenit direct nor usit aganis the said Erll being principall judge in his awin cuntrie, and he the only stay of justice to be done to the said Gilbert; and be the said Erll and his contemptioun he is alluterly frustrat and delayit of the executioun of the saidis decreit and letters, and debarrit fra his heretage, he thairfoir desyrit my Lord Regentis Grace and Lordis of Secreit Counsall, to have put ordour and remeid thairto, that he aucht to be enterit and put in possessioun of his said place and fortalice; and my Lord Regentis Grace and Lordis foirsaidis upoun the said complenaris supplicatioun ordanit Maister David Borthuik, oure Soverane Lordis advocat, to libell summondis aganis the said Gilbert Erll of Cassillis for tyning of his office of baillierie for the caissis abonewrittin, as he will answer to the said Lord Regent thairupoun. Howbeit, in veritie the said answer and ordinance, as the said Lord Regent and Lordis foirsaidis weill consideris, is na furtherance to the said Gilbert in the said caus, nor thairby he sall get na intrie nor possessioun of the said place and fortalice; bot be the contrair, seing that ordour of deprivatioun mon abide lang proces and pley, and concernis na wyis him nor his said actioun, the same salbe the only stay and hinderance of him, and will compell the said Erll in the meintyme be his haill moyane and assistance to be the said Gilbertis only partie in the said caus, as in deid alreddy be him, his broder, houshaldmen and servandis, the same Gilbertis place and fortalice is withhaldin fra him and the saidis persounis rebellis, detenaris thairof, fortefiit be him thairin; quhairthrow the said Lord Regent and Lordis foirsaidis, respectand the equitie of the caus, will fynd ane uther nerrar way in the premissis, and grantis letters to the said

George Kennedy.

Gilbert in maner and to the effect following; and anent the charge gevin to the said Gilbert Erll of Cassillis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to answer to the said complaint, and to heir and se letters be direct and gevin, chargeing him to enter his persoun in ward within the Castell of Blaknes, within aucht dayis nixt efter the charge, thairin to remane upoun his awin expenssis, ay and quhill he have fulfillit the command of the saidis letters of horning direct aganis him, under the pane of tressoun, or ellis to schaw ane ressonable cause quhy the same suld not be done, with certificatioun to him and he failyeit, letters suld be direct in maner foirsaid, lyke as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. The said Gilbert Kennedy of Balmaclennoch quhen comperand be James Dunbar of Daldnok his procuratour, and the said Gilbert Erll of Cassillis oftymes callit, and he nor nane in his name not comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing the said Gilbert Erll of Cassillis to pas and enter his persoun in ward within the Castell of Blaknes, thairin to remane upoun his awin expenssis ay and quhill he have fulfillit the command of the saidis letters of horning direct aganis him, within aucht dayis nixt efter he be chargeit thairto, under the pane of tresson, and that he cum to the Secretar or his deputtis, etc.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis, Cancellarius. Georgeus Comes de Cathnes. Alanus Dominus Cathcart. Adam Episcopus Orchadensis. Clericus Justiciarie. Advocatus. [Holyrood House, 27th May.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Beatrix Innes, relict of umquhile Alexander Innes of Cromertie, makand mentioun,—That quhair Williame Sinclair of Dunbethe, upoun his untrew pretendit culloure of mariage allegeit solempnizat with the said Beatrix, hes be the space of sevin yeiris bipast takin occasioun to intromett with hir haill leving, quhilk he hes disponit at his pleasoure, and hes sett hir rowmes, landis, and possessiounis pertening to hir in terce and conjunct fee, as he thocht maist expedient; and takand the grittar bauldnes throw the assistence gevin to him be sic as laitlie rebellit aganis our Soverane Lord, hes put hir to sic utter wrak and heirschip, that sche hes bene thir sevin yeiris bipast, as sche is presentlie, in sic necessitie and distres throw want of hir awin, that gif sche war not supportit sche had bene able to perreishe, being put to sic miserable cais, and that throw verie forgeit inventioun of allegeit mariage; for probatioun quhairof the said Williame vexit the said Beatrix with lang pley befoir Maister Robert Pont, than allegeit Commissar of Murray, havand na jurisdictioun in sic caissis, and befoir quhome he nevir usit ony witnessis bot sic as war his awin servandis, and sic utheris as he had movit to depone to his pleasoure. And nevertheles fering to avow that maner of proceding, Beatrix Innes. Williame Sinclair.

and yit being full handit with all hir rentis, hes intentit proces of new befoir the Commissaris of Edinburgh, desyring hir to be compellit to adheir to him; quhairin how slaw he hes persewit it, may sufficientlie be knawin be the lang dependence of that proces, quhairthrow he hes maid it manifest that he meanis na uther thing bot sa ungodlie to spend hir rentis with sic continewance of pley as he hes with him self determinat, that hir dolorus age sall not be able to se the end of his inventioun, and yit seing it is not tryit that in ony cais sche is bound to him as wyff, thair can be na reasoun quhairfore sche aucht not to have the full use of hir awin. And anent the charge gevin to the said Williame Sinclair to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer to the said complaint, and to heir and se ordour takin thairanent as appertenit, as the samyn, executioun and indorsatioun thairof, beris. The said Beatrix Innes comperand personalie, and the said Williame Sinclair being alsua personalie present with Maister Thomas Craig, his prelocutour, the reassonis and allegationis of baith the saidis partiis, togidder with the rentall of the saidis landis of the leving of Cromerty pertening to the said Beatrix in terce and conjunct fe, being hard, sene, and considerit, be my Lord Regentis Grace and Counsall, and thay ryplie avisit thairwith; my Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis, with consent of baith the saidis partiis, the said Beatrix to be answerit and obeyit of the males, fermes, teindis, custumes, proffeittis and dewiteis of the landis of Fischerne pertening to hir, liand within the sherefdome of Aberdene, during the dependence of the pley befoir the saidis Commissaris of Edinburgh, begynand the first termes pament at the feist of Witsonday nix to cum, and swa furth yeirlie and termelie in tyme cuming during the said space.

Margaret Craig and utheris.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall, be Margaret Craig and Johnne Arnot, hir spouse, for his interes, and Johnne Johnnstoun of the Coittis, makand mentioun—That quhair the saidis Margaret, Johnne Johnnstoun, and Robert Johnstoun, being pertineris of the haill leid ure win, ather induring the takkis maid to the Erll of Atholl for the tyme, and sensyne be George Dowglass of Parkheid, now capitane of the Castell of Edinburgh; upoun the aucht day of September, the yeir of God j^{m}v^{c}lxxii yeiris, it wes aggreit betuix thame all thre, that thai nor nane of thame sould dispone nor sell thair partis of the said leid ure, or ony part of the samin, to quhatsumevir persoun or persounis without thair haill consent and assent be had thairto; and gif the saidis persounis culd not aggre to that effect all thre together, that it suld be lesum to ony twa of thame to dispone upoun the samyn or ony part thairof, at thair plesoure, the twa alwayis satisfeing the thrid partiner for his part as thai sould sell thair awin; like as at mair lenth is contenit in the contract maid thairupoun of the dait foirsaid. According to the quhilk the said leid ure being led and sellarit in sellaris pertening to Johne Dalmahoy and Wod in Leith, and speciallie the haill werklumes

being in the said Johne Dalmahoyis sellar, for the quhilk werklumes thay have pait, and sua the same being thair awin proper geir, and the tyme being now convenient for transporting of the said leid ure,—quhilk gif it be cschapit will not be recoverit quhill the nixt yeir, in prejudice of the King and his custumes. The saidis Johnne Johnnstoun and Margaret Craig, according to the said contract, having enterit intill the sellaris quhairof thai had the keyis, and having put werkmen for paking of the said leid ure to be transportit in the schippis reddy boun to thair viage—thai being twa of the partineris, and sua having libertie contenit in the said contract; and the said Robert Johnestoun, thrid pertiner, being now absent, the uther twa travelling for weill of the said haill thre, thay ar stoppit be Helene Barroun spous to the said Robert Johnnstoun, quha has put on new lokkis on the saidis durris, to thair hevy dampnage and skaith, and als in hurt and prejudice of the Kingis custum. And anent the charge gevin to the said Helene Barroun to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer to the said complaint, as the samyn executioun and indorsatioun thairof beris. The saidis Margaret Craig and Johnne Johnnstoun of the Coittis, with Mr. Thomas Craig, thair prelocutor, comperand personalie, the said Helene Barroun being alsua personalie present; the richtis, ressounis, and allegationis of baith the saidis partiis being hard, sene, and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, ordanis the twa part of the said leid ure to be intromettit with be the saidis Margaret Craig and Johne Johnnstoun, to be transportit be thame furth of this realme, at thair plesour, thay payand the custumes and utheris dewiteis aucht thairfore as efferis; and that the thrid part of the samyn remane with the said Helene Barroun to be usit as sche sall think expedient; becaus James Aikman and Robert Abircrumby burgessis of Edinburgh, become cautioneris and souerteis, conjunctlie and severalie, to warrand, releif, and keip the saidis Robert Johnstoun and Helene Barroun his spous, harmles and skaithles of the twa part of the said leid ure, at the handis of all persounis havand entres quhatsumevir; and siclike that the samin salbe furthcumand to the saidis Robert and his said spous, and all utheris havand entres thairto, as law will.

Helen Barroun.

Anent oure Soverane Lordis letters purchest be the Ministeris and Reidaris serving at the Kirkis annext to the Bischoprik of Dunkeld, and Alexander Maister of Mar having the charge of the provisioun of his Hienes hous, makand mentioun—That quhair the saidis ministeris and reidaris ar asssignit to be pairt of thair levingis and stipendis of the fruitis and dewiteis of the Kirkis quhair thay serve, quhilk is comptit and allowit in the thrid of the said Bischoprik, as alsua the sowmes of money and victuallis assignit furth of the same thrid, to the furneissing and provisioun of our Soverane Lordis hous; nevertheles not only is thair delay in pament of the saidis assignationis, bot decreittis gevin be the Lordis of Counsall and Sessioun, to

answer pensioneris of the sowmes assignit be reasoun of giftis or titillis maid to thame thairof, be James, now Bischop of Dunkeld, or his predecessouris; quhilkis assignationis of the said thrid the said Bischope aucht to warrand to the saidis ministeris, redaris, and provisor of oure Soverane Lordis hous, and to assigne alsmekle als gude pament, in als commodious and competent a rowme in the place of that quhilk is evictit and takin away be law; the default proceding upoun the said Bischoppis awin deid, in respect that he gettis alsmekle of the auld assumit thrid of the said Bischoprik to the twa part thairof as is now assignit. And anent the charge gevin be virtew of the saidis letters to the said James, now Bischope of Dunkeld, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast to answer to the said complaint, and to heir him decernit to warrand the saidis assignationis in maner and forme as is abone specifiit, for the crop and yeir of God j^{m}vclxxiii yeiris, and siclike yeirlie in tyme cuming quhill forder ordour be tane; or ellis to schaw ane ressonable caus quhy the same sould not be done, with certificatioun to him and he failyeit, the said Lord Regent and Counsall wald decerne in maner and to the effect foirsaid, like as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. Quhilkis being callit, all the saidis parteis comperand personalie, thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsall, and thay ryiplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said James Bischope of Dunkeld to warrand the saidis assignationis of the said thrid to the saidis ministeris and redaris and provisor of oure said Soverane Lordis hous for the crop and yeir of God j^{m}v^{c}lxxiii yeiris last bipast, and siclike yeirlie in tyme cuming, quhill alsmekle als gude pament in als commodious and competent a rowme be assignit in place of the saidis assignationis alterit be the said Bischopis awin deid; and in respect that he gettis alsmekle of the auld assumit thrid of the said bischoprik in his twa part thairof as is now assignit, becaus the said Bischope, comperand personalie, schew na ressonable caus in the contrair, as wes cleirlie understand to my Lord Regentis Grace and Counsall; and that letters be direct heirupoun in forme as efferis.

[Holyrood House, 4th June.]

Sederunt—Jacobus Dominus Regens. Georgius Comes de Cathnes. Joannes Comes de Montrois. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Advocatus.

Lard of Drumlangrig.

Anent our Soverane Lordis letters direct, makand mentioun—That forsamekle as James Dowglas of Drumlangrig, knicht, become actit and oblist in the buikis of Secreit Counsall to enter and present Adame Carlile of Bridkirk befoir my Lord Regentis Grace to answer upoun his band maid for redres of all attemptattis committit be himself, his broder, freindis, tenentis and servandis in tyme bigane, as the said James Dowglas sould be requirit thairto upoun xv dayis warning, under the pane of twa

thowsand pundis, as the act maid thairupoun at mair lenth proportis. And anent the charge gevin to the said James Dowglas to enter and present the said Adam Carlile befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to answer upoun his band abonewrittin, conforme to the tennour of the said act and under the panis contenit in the samyn; with certificatioun to him and he failyeit, he suld be decernit to incur the said pane, and letters of horning and poinding of his landis and guidis suld be direct for uptaking of the samyn in forme as efferit, as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit and the said James Dowglas of Drumlangrig—nor yit the said Adame Carlile—not comperand, my Lord Regentis Grace, with avise of the Lordis of Privie Counsall, decernis the said James to haif incurrit the said pane of twa thowsand pundis, and ordanis letters of horning and poynding to be direct for uptaking of the same in forme as efferis.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Georgius Comes de Cathnes. Allanus Dominus Cathcart. Adam Episcopus Orchadensis. Clericus Justiciarie. Advocatus. [Holyrood House, 7th June.]

[Sym Johnnstoun of Keltertoun, charged to appear, under the usual penalties, and defaulting, to be denunced at the horn.]

[Holyrood House, 9th June.]
Charge upoun Officiaris of Armes and thair Souirteis.

Forsamekle as the Regentis Grace and Lordis of Secreit Counsall, understanding the monyfald complaintis maid be our Soverane Lordis Thesaurar, Comptrollar, and sindrie utheris his Hienes subjectis upoun the diverse abuses, defaltis, falsettis and negligences of messengeris and utheris officiaris of armes in the executioun of thair offices, and consulting how the same micht be best amendit, it wes rememberit how, in the regiment of umquhile the Erll of Murray of gude memory, be special command of his Grace and Lordis of Secreit Counsall for the tyme, certane injunctiounis and ordinances wer sett furth be Sir David Lyndesay of Rethuliet, knicht, Lyoun King of Armes, and his brether herauldis, to be observit be the officiaris of armes within this realme in all tymes cuming for the dew service of oure Soverane Lord and his liegis; specialie that nane suld tak upoun hand to execute ony chargeis without his blason, blawing horne and tippet wand; that every ane suld have a buik quhairin he suld note his executionis with the names of the persewar or defendar at quhais instance the letters war raisit, contening quhether the persounis wer chargeit personalie, or at thair dwelling places, or be oppin proclamatioun, with the day, yeir, place and witnessis, that gif the Kingis Majestie or ony his liegis sustenit ony dampnage or skaith be ony of the saidis officiaris, sic as tinsall of letters or neglecting thair diligence in summoning, poynding, arreisting or horning, or letters to be cassin in thair defaltis or ignorance,—in that cace thay or thair cautioneris, to refound the skaith and danger

sustenit thairthrow to the persewaris, and the saidis officiaris to be deposit simpliciter. That ilkane of the saidis officiaris in all tymes cuming how sone thai have denuncit ony persoun to the horn, or happinnit to be deforcit in thair offices, suld incontinent, and, but ony delay, indorse thair letters thairupoun, and pas to the sheref of the schyre and to the Thesaurar, and deliver the autentick copy of the letters with thair executionis subscrivit and signit as is abone writtin, conform to the command of the letters direct to that effect, and tak note upoun the deliverance of the samin and the day thairof—under the pane of deprivatioun and forder of ane hundreth pundis to be to the Kingis Majestie for his interes toties quoties, quhilk the officiaris cautioun suld be haldin to pay; and that the said officiar on na wyise for feid nor favour pretermit ane hour in indorsing and delivering the minute of his executioun under the panis foirsaid. That gif ony of the saidis officiaris suld happin to ressave ony letters of law-borrowis or to underly the law for ony crymes, and to summond ane assyise thairupoun, that the said officiar require the partie persewar to gif him in bill the names of the personis he dredis bodelie harme of, and to tak his aith thairupoun, and that the said officiar suld charge na ma personis nor suld be contenit in the said bill and letters. And gif it suld happin to be requirit to summond ane assyise for ony crymes, that the names thairof be deliverit to him in roll be the party persewar, the clerk of justiciarie or the Thesaurar, autenticklie subscrivit be ony of thame, to the effect he summond, nouther ma nor fewar nor is contenit in the roll, boist or threattin ony with summondis, and tak ganys for forbearing of ony,—under the pane of deprivatioun, and he not only to be punist at the Kingis Majesties plesour, bot alsweill the panys to be upliftit of his cautioner at the Kingis sicht, that every ane of the foirnamit officiaris passing at the command of the Thesaurar to uplift ony eschete guidis be cairfull of his charge, and to do exact diligence to apprehend the guidis and geir and get knawlege thairof quhair ever thai may be abstractit. And gif he find ony thairof in possessioun of the personis denuncit or convict of deforcementis or yit upoun thair ground, that thai intromet thairwith as eschete notwithstanding ony assignatioun, alienatioun, or disponing of the samyn befoir the said denunciatioun or deforceing, that salbe allegeit be ony thrid persoun under the panis foirsaidis. That nane of the foirsaidis officiaris tak upoun hand to refuise ony of the Kingis Majesties liegis service upoun ressonabill expenssis for ony frivoll excuise, nor respect of ony persoun quhatsumever, except he be actuallie in uther service, and sua impedite that he may not do the same under the panis foirsaidis; lyke as at mair lenth is contenit in the articulis, injunctionis, actis, and obligationis maid be the saidis officiaris of armes, and thair souirteis respective thairupoun, notwithstanding the same hes oft and mony tymes sensyne bene expreslie violat and abusit, and mony grevous complaintis maid thairanent; quhairunto becaus thair culd not alwayis remedy be providit the publict troublis impeding the same; the complenaris hes bene discurageit to prosequite thair complaintis aganis the

officiaris and thair suirteis; and the saidis officiaris hes takin the grittar bauldnes to fall in new defaultis and negligence. Quhairfore my Lord Regentis Grace, with avise of the Lordis of Secrete Counsall, hes thocht expedient that all the saidis officiaris of armes and thair souerteis salbe callit and chargeit be Lyoun King of Armes, to compeir befoir him and his brether Herauldis with sic as the Regentis Grace sall adjone to thame at Edinburgh the first day of October nix to cum, bringand with thame thair testimoniallis of admissioun and buikis of executionis to be sene and considerit, to the effect that of the haill a certane nowmer maist worthy and qualifiit may of new be admittit and authorizit, and all utheris simpliciter dischargeit fra thyne furth; quhais names, alsweill then to be admittit as dischargeit, my Lord Regentis Grace ordanis to be imprentit, that all our Soverane Lordis liegis pretend na ignorance, but may be assurit quha ar lauchfull officiaris admittit and quha ar deprivit. And further, to the effect that the saidis officiaris and thair souirteis sall have na excuis throw schortnes of warning or eschaip unpunishit in cace of thair non comperance and debtfull answer, nor that our Soverane Lord, his Thesaurar, comptrollar or utheris officiaris or liegis be frustrat of sic skaithis and injureis as thai haif ressavit throw the default, malice or negligence of the saidis officiaris in tyme bigane,—ordanis letters to be direct, to command and charge all and sindrie our Soverane Lordis officiaris and utheris subjectis quhilkis hes bene grevit or hes causis of complaint aganis ony of the saidis officiaris of armes, that thai present thair saidis complaintis befoir the said Lyoun King of Armes, his brether herauldis and utheris to be adjonit with thame the saidis day and place; and to command and charge all and sindrie the saidis officiaris of armes and thair saidis souerteis, to compeir personalie befoir the saidis Lyoun, his brether herauldis and the saidis persounis to be adjonet with thame day and place abone writtin, to answer to the saidis complaintis, and to underly triall and correctioun thairanent under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, the said day being bipast, thay sall incontinent thairefter be denuncit rebellis and put to the horne, and thair movable guidis escheatit and inbrocht to his Hienes use for thair contemptioun.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Joannes Comes Montroise. Andreas Comes Arroll. Georgius Comes de Caithnes. Laurentius Dominus Olyphant. Robertus Dominus Boyd. Allanus Dominus Cathcart. Henricus Dominus Sinclair. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Computorum Rotulator. Advocatus. [Holyrood House, 17th June.]

Act anent plegis.

Anent our Soverane Lordis letters raisit at the instance of Mr. David Borthuik of Lochill his Hienes Advocat; makand mentioun—That quhair the clannis and brokin men inhabiting the cuntreis adjacent to the

Bordouris of this realme, having of a lang time usit maist hevy oppressioun, stouth, and utheris enormiteis, upoun our Soverane Lordis obedient and gude subjectis; at last my Lord Regentis Grace reparit with ane power and army for repressing of thair mischeif and insolence, at quhilk tyme thai wer ressavit to mercy and His Majesties obedience upoun the conditionis following: that is to say. That thai sould releif his Hienes, his Wardanis, and officiaris for all attemptattis committit aganis the realme of England and subjectis thairof, of all tymes bigane and in tyme cuming, be making of full redres according to the treateis of peax; that thai suld redres all Scottismen offendit be thame sen the entre of thair plegeis to umquhile the Erll of Murray, first Regent of gude memorie, at thair power, be this present Regent and Counsallis sicht; and sould keip gude reull and be obedient to the lawis in tyme cuming; and ressett nane of our Soverane Lordis declarit tratouris, and specialie sic as hes bene forfaltit for the murthouris of his Majesties derrest fader and Regentis. And attour in cais ony of the personis for quhome the plegis enterit brek or offend aganis the promeis and conditionis abone specifeit thairefter, that the said plege as principall, and certane of the principallis of ilk branche specialie nominat and contenit in the Actis maid thairupoun, suld stand band, actit, oblist, and sworne, conjunctlie and severalie, to amend and redres the skayth to the parteis complenand, and to bring and present the offendouris to be punist for thair offence according to justice, under the pane of infamy, repruif, manswering and tinsall of perpetuall traist and credite; and gif thai failyeit thairin, to be repute, haldin, persewit and demanit as faythles mansworne, and as gif thai had done the deid with thair awin handis. Quhairupoun the personis underwrittin enterit thame selffis plegis with the persounis and in the places particularlie under specifiit; that is to say. Andro Armstrang of the Gingillis placeit to remane with Hew Lord Somervile. William Armstrang, sone to Will of Tersumhill, placeit to remane with Johnne Gordoun of Lochinvar. Rowy Armstrang in Brintscheilhill, callit the Landis Rowy, placeit to remane with Alexander Stewart of Garleis. Niniane Armstrang, sone to Hector Armstrang in Harlaw, placeit to remane with Johne Colquhoun of Luss. Johne Batie, sone to Hew Baty in Johnstoun in Eskdaill, placeit with George Maxwell of New Werk. Nicoll Baty of the Scheill, placeit with Johne Maxwell of Netherpollok. Johne Bell, callit the Bendar, with Alexander Maxwell of Teling. Andro Johnnstoun, sone to Will Johnnstoun of Myreheid, placeit with Thomas Kennedy of Bargany. Jok Johnstoun, sone to Thome of the Mylne, placeit with Johnne Somervile of Cambusnethame. Gibbe Johnnstoun, sone to Thome of Fingland, placeit with Matho Campbell of Lowdoun, knicht, Sheref of Air. James Johnnstoun, broder to Willie Johnnstoun of Preistisdikis, placeit with Alexander Irwing of Drum. Johnne Johnnstoun the Chepmannis eldest sone, placeit with Arbuthnot of that Ilk. David Johnnstoun, sone to Will of Brumell, placeit with Hew, Erll of Eglintoun. Frances Johnnstoun, sone to Thomas Johnnstoun in Preistwodsyde, placeit

with Patrik Dunbar, fear of Cumnok. Thome Latimer, sone to Edward in Cokethill, placeit with Johne Charteris of Kynfawnis; and Williame Irwing of Graitnayhill, placeit with M°Clellane of Bomby. And als the personis underwrittin become actit and oblist cautioneris for the personis plegeis abone specifeit, that thai suld remane with the noblemen, baronis, and utheris particularlie abone mentionat, and in thair cumpanyis respective, and on na wyise eschaip nor eschew ay and quhill thay wer lauchfullie fred and relevit be our Soverane Lord and my Lord Regent; ilk persoun plege foirsaid under the pane of twa thowsand pundis; that is to say, Johne Lord Maxwell and Robert Maxwell of Cowhill, conjunctlie and severalie, for the saidis Andro Armstrang of the Gyngillis, and for the said Will Armstrang, sone to Will of Tersumhill, and for the said Rowy Armstrang in Brintscheilhill, and for the said Niniane Armstrang, sone to the said Hector of Harlaw, and for the said Johne Baty, sone to the said Hew Baty, and for the said Nicoll Baty of the Scheill, and for the said Johne Bell callit the Bendar. Alexander Jarden of Apilgirth for the said Andro Johnnstoun, sone to the said Will Johnnstoun of Myreheid, and for the said Williame Irwing of Graitnahill. Johne Johnnstoun of that Ilk for the said Jok Johnnstoun, sone to the said Thome of the Mylne, and for the said Gibbe Johnnstoun, sone to the said Thome of Fingland, and for the said James Johnstoun, broder to the said Willie Johnnstoun of Preistis dykis, and for the said Johne Johnnstoun the chepmannis eldest sone, and for the said David Johnnstoun, sone to the said Will of Brumell, and for the said Johne Latimer, sone to the said Edward Latimer in Cokkethill. Patrik Dunbar, fear of Cumnok, for the said Frances Johnnstoun sone to Thomas Johnstoun in Preistwodsyde. Nevirtheles the saidis plegeis hes not remanit with the nobilmen, baronis, and utheris particularlie abone specifeit quhair thay wer appointit to abyde, bot eschapit and eschewit out of thair appointit wardis, not being fried and relevit be our Soverane Lord and my Lord Regent; and thairthrow thair saidis souerteis hes incurrit the said pane of twa thowsand pundis for ilkane of the plegeis abone mentionat respective, and the same aucht to be intromettit with, uptakin, and inbrocht to oure Soverane Lordis use. And anent the charge gevin—to the said Johne Lord Maxwell, Robert Maxwell of Cowhill, Alexander Jarden of Apilgirth, Johne Johnnstoun of that Ilk, Patrik Dunbar, fear of Cumnok,—to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to heir and se thame and ilkane of thame for thair awin part decernit and adjugeit, be decreit of my Lord Regentis Grace and Privie Counsall, to have incurrit the said pane of twa thowsand pundis for ilkane of the plegeis particularlie abone specifeit; and thairfoir to heir and se letters of horning, or poynding, and distrenyeing of thair reddiest landis, guidis and geir, be directit aganis thame and ilkane of thame for pament to our Soverane Lord and his Hienes Thesaurar in his name, of the saidis sowmes respective, conforme to the saidis Actis of Privie Counsall; or ellis to allege ane ressonable caus quhy the same suld not be done; with certificatioun

to thame and thai failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne and direct letters in maner and to the effect abone specifeit; lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. Quhilkis being diverse tymes callit, and the foirsaidis personis nor nane of thame not comperand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, decernis and adjugeis the saidis Johne Lord Maxwell, Robert Maxwell of Cowhill, Johne Johnnstoun of that Ilk, Alexander Jarden of Apilgirth, and Patrik Dunbar, fear of Cumnok, and ilk ane of thame for thair awin part, to have incurrit the said pane of twa thowsand pundis for ilkane of the plegeis particularlie abone specifeit, and thairfore ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, arreist, appryse, compell, poind, and distrenye the saidis personis, thair landis and reddiest guidis and geir; and failyeing of thair movable guidis, to appryise thair landis, conforme to the Act of Parliament, to the avale and quantitie, ilkane of thame for thair awin part, of the said sowme of twa thowsand pundis for ilkane of the plegeis particularlie abone mentionat, and mak our Soverane Lordis Thesaurar to be pait thairof, efter the forme and tennour of the saidis Actis of Privie Counsall and justice.

[Holyrood House, 14th June.]

Sederunt—Jacobus Dominus Regens. Joannes Comes Atholiæ. Georgius Comes de Cathnes. Computorum Rotulator. Advocatus.

Decreit aganis the Lard Johnnestoun.

Anent our Soverane Lordis letters direct, makand mentioun—Forsamekle as Johnne Johnnstoun of that Ilk become actit and oblist in the buikis of Secreit Counsale, to enter and present Johne Johnnstoun of Graitnay befoir our said Soverane Lord and his Hienes Regent, to answer upoun his band maid for redress of all attemptattis committit be him self, his bairnis, and servandis in tyme bigane,—as the said Johne Johnnstoun, cautioner foirsaid suld be requirit thairto—upoun xv dayis warning, under the pane of twa thowsand pundis, as the Act maid thairupoun at mair lenth proportis. And anent the charge gevin to the said Johne Johnnstoun of that Ilk, to enter and present the said Johne of Graitna befoir my Lord Regentis Grace and Lordis of Secreit Counsall, at ane certane, bigane, to answer upoun his band abone writtin, conforme to the tennour of the said Act; with certificatioun to him and he failyeit he suld be decernit to incur the said pane, and letters of horning or poynding of his landis and guidis suld be direct for uptaking of the same in forme as efferis; like as at mair lenth is contenit in the saidis letters, executioun, and indorsatioun thairof. Quhilkis being callit, and the saidis Johne Johnnstoun of that Ilk nor Johne Johnnstoun of Graitna not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, decernis the said Johne Johnnstoun of that Ilk to have incurrit the said pane of twa thowsand pundis; and ordanis letters of horning or poynding to be direct for uptaking of the same of his landis and guidis, and mak our Soverane Lordis Thesaurar to be pait thairof, in forme as efferis.

Anent our Soverane Lordis letters direct, makand mentioun;—Forsamekle as Williame Dowglas of Cavers Sheref of Roxburgh, James Gledstanis of Coklaw, and Robert Ellott of Reidheuch, become actit and oblist in the buikis of Privie Counsall as plegeis and souirteis for all the personis inhabitantis of thair landis and boundis efter specifeit, in maner, upoun the conditionis and under the panis respective following. That is to say, the said Williame Dowglas of Cavers for the townis and landis of Yarldsyde, Pencryse and Kirktoun; the said James Gledstanis of Coklaw for the townis landis and boundis of Humilknowis, Colyfurdhill, and Edderstoun Schelis; and the said Robert Ellott of Reidheuch for the tounis landis and boundis of Preistishauch Peilbray, Swinsteis, and Dodrig; that the inhabitantis of the same respective that micht not underly the law for the cryme of thift in tyme bigane—sen umquhile James Erll of Murray Lord Abirnethy, Regent of this realme for the tyme, ressavit the plegeis—and yit wald cum under oure Soverane Lordis obedience be plegeing as the inhabitantis of Liddisdaill did, sould outher enter thame selffis plegeis, or ellis cum under the plege of sum of Liddisdaill, or utheris that wald be content to ressave thame and ly bound for thame on sic conditioun as the remanent that hes enterit plegeis; quhilk gif thai did within the tyme appointit, thay sould be permmittit to remove and transport thame selffis, thair wyffis, cornis and guidis outwith the Swyris, betuix, and the Feist of Mertymes last bipast, on conditioun that thai never returnit agane to dwell within the saidis Swyris thairefter, except befoir thair returning and duelling thay fand responsall and sufficient suirteis, inlandis men, to the Justice Clerk and his deputtis to be obedient to the law for the said cryme of thift for the tymes bigane and to cum. And alsua the saidis personnis thair maisteris wer actit and oblist, to deliver to my Lord Regentis Grace present, the names of the persounis acceptand and fulfilland the said conditioun, betuix, and the xx day of September last bipast; as alsua of all the utheris personis inhabitantis within the saidis boundis, that nowther thay become souertie for to the law, nor yit enteris under plegeing; quhilkis personis thai oblist thame to remove out of the saidis landis and boundis immediatlie upoun thair delay, or refuisis, to underly the saidis conditionis betuix the dait of the said Act—quhilk is of the dait at Jedburgh, the xxviii day of August—and the said twentie day of September last bipast; and to birne thame, or utherwyise dispone upoun thair houssis, cornis or guidis, sa as na proffeit thairof suld cum to thair commoditie; and suld hald thame, thair wyiffis, bairnis, servandis and guidis furth of the saidis landis and rowmes, and plant and place trew men to dwell thairin, for quhome the saidis personnis suirteis suld stand answerable to the lawis for the said cryme of thift, or ellis suld caus the same landis and rowmes ly waist and unoccupiit thairefter. And for performance and observatioun heirof band and oblist thame, viz., the said Williame Dowglas of Cavers, under the pane of fyve thowsand merkis, the said James Gledstanis of Coklaw, under the pane of fyve thowsand markis, and the said Robert Ellot of Reidheuch, under the pane of fyve thowsand merkis, as at mair lenth is contenit in the Actis of Privie

Decreit aganis the Shereff of Roxburgh:

Counsall maid thairupoun; nevertheles as my Lord Regentis Grace is credibillie informit, Clemme Crosar callit Cokkis Clemme in Yarldsyde, Johne Crosar his broder, Rowy Crosar his broder thair, Ade Crosar callit Kaitis Adie thair, Adie Crosar callit Megettis Adie thair, Archie Crosar thair, Jok Crosar thair callit Kaittis Jok, Archie Crosar callit Markis Archie thair, Barty Crosar in the Kirktoun, Archie Crosar callit the Pyott, Hob Ellott callit Mirk Hob in Peneryse, Hob Ellott callit Clemmettis Hob, Hob Crosar, sone to Johne Crosar,—all under the said James Dowglas of Cavers; and siclike Clemme Crosar in Humilknowis, Martene Crosar his broder in Hawik, under the said James Gledstanis of Coklaw; and in likemaner Jok Ellott callit Lawis Jok in Preisthauch, Alexander Ellott alias Myll thair, Thome Ellott callit Lawis Thome thair, Archie Ellott callit Possettis in Quheittilbray, James Ellott alias Dobsoun thair, Richie Ellot callit Lawis Richie in Swinteis and Robert Ellott callit the Vicaris Hob,—being personis quhilkis micht not underly the law for the said cryme of thift, bot ar cum under the plege of Liddisdaill, notwithstanding hes not transportit nor removit thame selffis, thair wyiffis, cornis and guidis outwith the Swyris. And attour, sum of thame hes maid the fassoun and maner anys of removing and transportatioun, yit have thai sensyne returnit and still duellis in the townis, landis and boundis particularlie abone specifeit; na sufficient and responsall suirteis, inlandismen, being fund be thame to the Justice Clerk and his deputtis to be obedient to the law for the said cryme of thift for the tymes bigane and to cum. And the personis abonewrittin thair souirteis hes not removit thame out of the saidis landis and boundis ilkane for thair awin partis, nor hes brint thame and disponit upoun thair saidis cornis and guidis, nor haldin thame, thair wyiffis, bairnis and servandis furth of the same, and plantit and placeit trew men to dwell thairin, or causit the same landis and rowmes ly waist and unoccupiit; and thairthrow hes contravenit and not performit nor observit the effect and conditioun of the saidis Actis of Previe Counsall, quhairunto thay war oblist of thair awin proper confessioun as said is, and sua hes incurrit the saidis panis contenit thairin. And anent the charge gevin to the said Williame Dowglas of Cavers, James Gledstanis of Coklaw, and Robert Ellott of Reidheuch,—to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer upoun thair diligence done in performance and observing of the saidis Actis of Privie Counsall, and specialie of the pointis and conditionis particularlie abone mentionat,—and to heir and see thame and ilkane of thame for thair awin part, decernit and adjudgeit, be decreit of my Lord Regentis Grace and Privie Counsall, to have contravenit and not performit nor observit the effect and conditionis of the saidis Actis of Privie Counsall, and sua to have incurrit the saidis panis contenit thairin: that is to say, ilkane of thame the sowme of fyve thowsand markis; and to heir and see letters of horning or poinding and distrenyeing of thair reddiest landis, guidis and geir be directit aganis thame and ilkane of thame for pament to our Soverane Lord and his Hienes Thesaurar, in his

name, of the saidis sowmes respective, conforme to the saidis Actis of Privie Counsall, or ellis to allege ane ressonable caus quhy the same sould not be done. With certificatioun to thame and thay failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne and direct letters in maner and to the effect abone specifeit; lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. Quhilkis being callit, and the saidis personis comperand all personalie; thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, decernis and adjudges the saidis Williame Dowglas, James Gledstanis, and Robert Ellott and ilkane of thame to have contravenit and not performit nor observit the effectis and conditionis of the saidis Actis of Privie Counsall, and sua to have incurrit the saidis panis contenit thairin; that is to say, ilkane of thame the sowme of fyve thowsand merkis; and ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, arreist, appryse, compell, poynd and distrenye the saidis personis, thair landis and reddiest guidis and geir, and failyeing of thair movable guidis, to appryis thair landis, conforme to the Act of Parliament, to the avale and quantitie ilkane of thame of the said sowme of fyve thowsand merkis, and mak oure said Soverane Lordis Thesaurar to be pait thairof, efter the forme and tennour of the saidis Actis of Privie Counsall, and justice.

Decreit aganis Johnnestoun.

Anent our Soverane Lordis letters direct, makand mentioun.—Forsamekle as Johne Johnnstoun of that Ilk become actit and oblist in the buikis of Secreit Counsall to enter and present Johnne Johnnstoun of Graitnay befoir my Lord Regentis Grace, to answer upoun his band maid for redress of all attemptattis committit be him self, his bairnis and servandis in tymes bigane, as the said Johne cautioner foirsaid suld be requirit thairto, upoun xv dayis warning, under the pane of twa thowsand pundis, as the Act maid thairupoun at mair lenth proportis. And anent the charge gevin to the said Johnne Johnnstoun of that Ilk, to enter and present the said Johne Johnstoun of Graitnay befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer upoun his band abone writtin, conforme to the tennour of the said Act; with certificatioun to him and he failyeit, he suld be decernit to incur the said pane, and letters of horning or poynding of his landis and guidis suld be direct for uptaking of the same in forme as efferis; like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the saidis Johne Johnnstoun of that Ilk and Johne Johnnstoun of Graitnay nor nane of them not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, decernis the said Johne Johnnstoun of that Ilk to have contravenit the tennour of the said Act, and thairfor to incur the said pane of twa thousand pundis contenit thairin, and ordanis letters to be direct to officiaris of armes, shereffis in that part, chargeing thame to pas, arreist, appryise,

compell, poynd and distrenye, the said Johne his landis and reddiest movable guidis; and failyeing of his movable guidis, to appryis, conforme to the Act of Parliament, to the avale and quantite of the said soume of twa thowsand pundis, and mak our Soverane Lordis Thesaurar, in his Hienes name, to be pait thairof, conforme to the said Act of Privie Counsall and justice.

[Holyrood House, 14th June.]

Sederunt—Jacobus Dominus Regens. Joannes Comes Atholia. Georgius Comes de Cathnes. Robertus Dominus Symple. Allanus Dominus Cathcart. Clericus Justiciarie. Advocatus.

The Custumar of Berwik dischargeit.

Anent our Soverane Lordis letters direct, makand mentioun.—Forsamekle as it is understand to my Lord Regentis Grace that Robert Kirktoun in Jedburgh hes laitlie obtenit oure Soverane Lordis gift during the will of his Majestie and of my Lord Regentis Grace, daittit the thrid day of Marche last bipast, makand him Custumar within the sherefdomes of Berwik, Roxburgh, and Selkirk; quhilk gift, gif it be permittit to stand in effect, the like not being grantit of befoir, sall prejudge our Soverane Lord gritlie in his Majesties custumes, be reasoun, will not only the said Custumar tak the custumes of all claith and utheris guidis brocht within this realme be land furth of England,—alsweill be his Hienes liegis as be strangearis reparand throw the saidis boundis; bot alsua the merchandis of Edinburgh and utheris traffiquand betuix Berwick and Edinburgh salbe subtractit and withdrawin, quhilk consistis mekill be inbringing of claith be land as said is. And under cullour of the said gift, the said Robert, and George Achesoun his college, having upoun the last day of Februar last bipast —quhilk at that tyme wes not grantit—brocht to Edinburgh ane hors laid of Inglis steming clayth, with certane braid claith, wes requirit to pay our Soverane Lordis custumes thairof, quha refusit, acclamand to the privilege of the said gift, and said he wald not acknawlege the Custumar of Edinburgh nor pay him na custum; nevertheles the samin wes arreistit quhill my Lord Regentis Grace mynde wes knawin thairin; quhairthrow it may appeir that gif the said gift be not callit bak, oure Soverane Lord will ressave greit incommoditie be subtracting of his Majesties custumes foirsaidis. And anent the charge gevin to the said Robert Kirktoun to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, bringand with him the saidis letters of custumary purchest be him during the will of our Soverane Lord and my Lord Regentis Grace, to be sene and considerit, and to heir and se the same, letters and effect thairof, decernit and declarit to ceis, and to have na further effect in tyme cuming for the caussis foirsaidis; or ellis to allege ane ressonable caus quhy the same sould not be done; with certificatioun to him and he failyeit, my Lord Regentis Grace wald declair the said gift to ceis and have na forder effect in tyme cuming; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the said Robert Kirktoun comperand personalie, his ressonis and allegationis

being hard and considerit be my Lord Regentis Grace and Counsall, and thay ryiplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, decernis and declaris the saidis letters of gift maid to the said Robert of the said custumarie to ceis and have na further effect in tyme cuming, and ordanis letters to be direct, to mak publicatioun and intimatioun heirof to all and sindrie our Soverane Lordis liegis, be oppin proclamatioun, at the marcat croces of Edinburgh, Jedburgh, Selkirk, and utheris places neidfull, that nane pretend ignorance of the samin; and to command all and sindrie the saidis liegis that nane of thame tak upoun hand to answer, obey, or custum with the said Robert Kirktoun in tyme cuming, under cullour of the gift foirsaid or utherwyse, as thai will answer upoun thair obedience at thair uttermaist charge and perrell, and under the pane of pament of the saidis custumes ower agane, certifeing thame and thai failye, thay salbe compellit to mak double pament; and siclike my Lord Regentis Grace, with avise of the saidis Lordis, commandit and chargeit the said Robert Kirktoun, personalie present as said is, to bring and produce befoir thair Lordschippis at Halyrudhous, or quhair it sal happin thame to be for the tyme, the xxii day of Junii instant, the said letter of gift, to the effect the same may be distroyit for ever; under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failye, letters suld be direct simpliciter to put him to the horne.

Sederunt—Jacobus Dominus Regens. Georgius Comes de Cathnes. Gulielmus Dominus Ruthven Thesaurarius. Robertus Dominus Sympill. Alanus Dominus Cathcart. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 18th June.

Anent our Soverane Lordis letters, raisit at the instance of David Cathcart, makand mentioun;—that quhair Johnne Schaw of Keiris,—for non answering, obeying, and pament making to him, his factouris and servitouris in his name, of certane teindis and utheris dewiteis of the vicarage of Dalmellingtoun, of the crope and yeir of God j^{m}v^{c}lxxiii yeiris, conforme to the decreit gevin be the Lordis of Counsall and Sessioun thairupoun,—wes upoun the fourt day of Junii the yeir of God foirsaid, be virtew of letters in the foure formes past upoun the said decreit, ordourlie denuncit rebell and put to the horne, as the saidis letters direct thairupoun, executionis and indorsatioun of the same at mair lenth proportis; at the proces quhairof the said Johne Schaw hes lyne continewallie sensyne, like as he dois yit, unrelaxt; and in the menetyme hantis and resortis to and fra in the cuntrie as gif he wer our Soverane Lordis frie liege, usand all kynde of creweltie and oppressioun his Hienes gude subjectis; lyke as laitlie upoun the fyft day of Junii instant the said Johne, accumpanyit with his sonnis and utheris brokin men of the cuntrie, come to the landis of Erve occupiit be Hew Cathcart, and thair reft certain cattell and utheris guidis pertening to him; and siclike, oft and diverse tymes of befoir hes hereit and opprest sindrie

David Cathcart.

Schaw of Keiris.

pure bodyis, of the barony of Dalmellingtoun pertening to Allane Lord Cathcart, quhilk is alsua addebtit in pament of certane teindis and utheris dewiteis yeirlie to the said complenar; usand thame selffis and thair guidis as pray to him at all tymes, not sparing to ryde upoun thame in foraying, as it wer in maner of oppin weir; sua that thai for the maist part ar put to sic extreme povertie, as thai ar never able to recover without my Lord Regentis Grace and Lordis of Secreit Counsall provide remedy. And anent the charge gevin to the said Johne Schaw, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer to the said complaint and sic uther thingis as salbe laid to his charge, and to heir and se letters be direct,—chargeing him to pas and enter his persoun in ward within the Castell of Blaknes within aucht dayis efter the charge, thairin to remane upoun his awin expenssis, ay and quhill he have fulfillit the command and tennour of the saidis utheris letters, and obtene him self relaxt fra the said proces of horne, under the pane of tressoun; or ellis to have schawin ane ressonable caus quhy the same sould not be done; with certificatioun to him and he failyeit, the saidis letters suld be direct in maner abone writtin, like as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Cathcart comperand personalie, and the said Johnne Schaw oftymes callit and not comperand, my Lord Regentis Grace thairfore, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing the said Johne Schaw to pas and enter his persoun in ward within the Castell of Blaknes within aucht dayis efter the charge, thairin to remane upoun his awin expenssis, ay and quhill he haif fulfillit the command and tennour of the saidis utheris letters, and obtene himself relaxt fra the said proces of horne under the pane of tressoun; and that he cum to the secretar or his deputtis keparis of our Soverane Lordis Signet, etc.

[On the same day, William Cunynghame of Caprington becomes bound that James Cunynghame, in the Rawis of Grugar, now prisoner in the Tolbooth of Edinburgh, for the troubling the barony Court of Grugar, shall remain in ward until he has paid his escheat, after which he shall compear in the Court of Grugar, and there "doublat allane" in face of judgment, shall ask God, the King, the Judge and party offended forgiveness, submitting himself to the Judge's will, under the pain of 500 marks. George and James, sons of the said James Cuninghame, obliged themselves to relieve William Cuninghame the cautioner. The band is subscribed by William Cuninghame of Caprinton, James Cuninghame of Inchegotrik, and by John Andrew for George Cuninghame, who is unable to write.]

[Edinburgh, 19th, 20th, 22d, and 24th June.

[William Lawder of Haltoun becomes lawburrows for William Lord Borthwick, and John Carmichael of Medoflatt lawburrows for Dame Grissell Scott Lady Borthwick, that James Andersoun in Haltre and his friends shall be harmless of the said Lord and Lady, each of them under the

pain of £1000; Lord Borthwick relieving William Lawder and John Carmichael.

Thomas Toddoner burgess of Edinburgh obliges himself to enter William Kerr natural son of Robert Ker of Woodhead before the Council, to answer to all things which may be laid to his charge, under the pain of 500 marks.

Allan Lord Cathcart becomes lawburrows for Robert Lord Sympill that George Thomsoun, minister at Innerkip, shall be harmless of him, under pain of £2000.

Thomas Davidson "ypothecar" and burgess of Edinburgh, obliges himself that Watt Dickson and Stevin Scott, servants of William Lord Borthwick, shall enter in ward within the Palace of Linlithgow, remaining there until relieved, each one of them under the penalty of five hundred marks.]

[Edinburgh, 24th June.] Band for Tymothe.

The quhilk day, Maister David Makgill advocat gaif in this band and obligatioun under writtin, subscrivit with his hand, and desyrit the same to be actit and registrat in the buikis of Secreit Counsall to haif the strenth of ane act of the Lordis thairof, and letters and executoriallis to pas thairupoun in forme as efferis. Quhilk desyre the saidis Lordis hes thocht ressonable, and thairfore hes ordanit the said obligatioun to be registrat in the saidis buikis, of the quhilk the tennour followis: I, Maister David Makgill advocat, be the tennour heirof, cumis cautioun to enter Tymothie Cogneole befoir my Lord Regentis Grace and Lordis of Secreit Counsall, to answer at the instance of Dame Marie Peris, and to sic clame or petitioun as it sall pleis hir propone aganis him, and that he sall not declyne the said judgement, the said Tymothie or I beand lauchfullie warnit thairto; be thir presentis subscrivit with my hand at Edinburgh, the xxiiii day of Junii 1574. Sic subscribitur: M. David Makgyll.

[Edinburgh, 25th June.]

Sederunt—Joannes Dominus Glammis Cancellarius. Georgius Comes de Cathnes. Robertus Dominus Boyd. Clericus Registri. Clericus Justiciarie. Advocatus.

Anent the Duche Schippis takin be the Pyrattis.

Forsamekle as a schip of the toun of Twisk besyde Meneblik in North Holland, in the charge and governing of Herman Johnsoun, and ane uther schip callit the Forlorne Sone, quhairof the ane half pertenis to Here Godscale Tymmerman ane of the Counsall of Danskin, and the uther half to the skipper himself, namit Lucas Yelesoun of the toun of Emden,—wer in thair dew cours recounterit and takin be a schip of weir of the realme of England, quhairof is capitane Robert Isteid, of the toun of Hastingis in the county of Sussex, and brocht to the burgh and part of Montroise in this realme,—quhair thai wer followed be the said Herman Jonsoun maister of the said schip of Twisk, and be Cornelius Jonsoun induellar of Dordrecht in Holland marchand, of the said schip callit the Forlorne Sone,

and apprehendit upoun the xv day of Junii instant. And in consideratioun that the saidis schippis, cornis and guidis ar confessit be the said Robert Isteid to have bene takin fra the self same personis that now clamis the saidis schippis and guidis, the Lordis of Secrete Counsall willing to do justice and schaw all reasonable favour to the saidis personis spuilyeit clamand the saidis schip and guidis, the same being in point of tynsall, and the guidis being sic as be keping can not be observit; thairfore ordanis the saidis Herman Jonsoun and Cornelius Jonsoun, to pas to thair schippis and guidis, and thair be advise of Richard Lichtoun and Richard Andersoun Baillies of the burgh of Montroise or ather of thame that salbe present, and se the selling valuatioun and estimatioun of the saidis schippis and guidis, report quhat the same extendis to, to the Regentis Grace and Counsall with all convenient diligence; and that the money that salbe ressavit thairfore be ressavit and remane as consignit in the handis of Johne Hairat burges of Edinburgh, and that ay and quhill the saidis Herman Jansoun and Cornelius Jansoun report sufficient testimoniall and certificat of the townis of Horne, Encusen, or Emden respective, that the saidis schippis and guidis justlie appertenis unto thame and thair pertineris, freindis and confederattis of this realme; and the said Johne Hairat being personaly present, of his awin consent oblissis him to answer for the said money consignit as said is; and that he haif sufficient warrand and commandiment of our Soverane Lord, his Regent and authoritie, to deliver the same to thame.

[Edinburgh, 3d July.] [William Barclay now in ward in the Tolbooth of Edinburgh as principal, and John Barclay fear of Touch as cautioner for him, oblige themselves that the said William shall depart furth of the realm, and not return without licence, doing in the meantime nothing in hurt of the realm, under the pain of death in the case of the principal, and of 500 marks in the case of the cautioner.]

[Dalkeith, 6th July.] Proclamatioun for the North. Forsamekle as for the administratioun of justice upoun offendouris, and ordour taking for keping and observatioun of the present peax and happy quietnes quhairwith God hes blissit this realme,—specialie in the north partis of the same far distant frome the ordinar sait of justice,—my Lord Regentis Grace is constranit to repair in his awin persoun in the same north partis, quhair it is requisite that he be weill and substantiouslie accumpaniit. Thairfore ordanis letters to be direct to command and charge all and sindrie Erlis, Lordis, Baronnis, Frehalderis and Landit men within the boundis of the sherefdomes of Fyff, Kynros, Forfarr, Kincardin and Perth be eist the watter of Tay, that thai and ilkane of thame, with thair substantious houshaldis armit and providit for the space of fourtie dayis, addres and prepair thame selffis to meit the said Regent at Brechin the sext day of August nix to cum, and fra thyne to convoy and accumpany his Grace as thai salbe commandit during the said space of fourtie dayis thairefter, under the pane of tinsall of lyff, landis and guidis.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusiæ. Georgius Comes Huntly. Joannes Comes Montroise. Georgius Comes de Cathnes. Andreas Comes de Rothes. Patricius Dominus Lyndesay. Laurentius Dominus Olyphant. Georgius Dominus Seytoun. Henricus Dominus Synclair. Hugo Dominus Fraser de Lovet. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 8th July.]

Band for Roger Freman.

Quhairas Roger Freman in the toun of Bristo Englishman, being apprehendit with certane fals and counterfeyted money of this realme of Scotland, wes brocht from Air to Edinburgh, quhair presentlie he remanis presoner unto the triall of his innocencie pretendit, and that it hes pleasit the Regentis Grace at my sute and requeist to grant him libertie furth of presoun, thairfore I promeis and becumis suirtie that the said Roger sall remane in my cumpany within this realme, and sall not depart furth of the same without his Grace licence, as also that I sall re-enter agane the said Roger in presoun quhen I sall be requirit be his Grace on reasonable warning. Sic subscribitur: Wryghten this viiith of July 1574 by me H. Kyllegrew.

Thomas Quharrie. Cleghorne.

The quhilk day, anent the charge gevin to Mungo Lokart of Cleghorne, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer to ane complaint maid be Thomas Quharry in Kincadyow for the maisterfull reving and taking fra him of ane hors, and utherwyis troubling him under cullour of ane band allegeit gevin be the said Mungo to Johne Broun of Crosar Dykrig for the said Thomas,—as at mair lenth is contenit in the said complaint; the said Mungo comperand personalie, and the said Thomas being alsua personalie present, it wes allegeit be the said Mungo that at the desyre of the said Thomas and utheris his freindis he gaif his band to the said Johne Broun for pament to him of the soume of xxxi pundis for releif of the said Thomas, he being than takin and detenit be the said Johnne; like as the said Mungo had maid pament of the said soume conforme to the said band befoir the proclamatioun maid anent the dischargeing of bandis and pament of ransoms to thevis, and offerit him to preif the samyn. Quhairfore my Lord Regentis Grace, with avise of the saidis Lordis, admittis the said allegeance to the said Mungois probatioun, and assignis to him the xvii day of Julii instant for preving thairof; and ordanis him to have letters to summond sic witnessis and probatioun as he will use for preving of the samyn agane the said day, under the pane of rebellioun and putting of thame to the horne; and in the meintyme continewis the said mater in the same forme, force and effect as it is now, but prejudice of partie, quhill the said day; bayth the saidis partiis warnit heirto apud acta.

[Holyrood House, 10th July.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angus. Georgius Comes de Cathnes. Joannes Comes de Montroise. Robertus Dominus Boyd. Alanus Dominus Cathcart. Robertus Commendatarius Dunfermling. Computorum Rotulator. Clericus Justiciarie. Advocatus.

Bischop of Murray. Abirbrothok.

Anent our Soverane Lordis letters raisit at the instance of ane reverend fader in God, George Bischope of Murray, makand mentioun;—that quhair Johne now Commendatar of the Abbay of Abirbrothok, allegeand that the said Bischope,—be himself his servandis and complices and utheris of his name, of his causing command assistence and ratihabitioun,—spuilyeit awaytuke ressett and withheld fra the said Commendatar, at diverse tymes within the tyme of abstinence concludit, furth of the place of Abirbrothok houssis and biggingis thairof, off diverse guidis geir plenissing and utheris; and als fra the said Commendatar his fewaris tenentis and parochinaris of sindrie his landis and kirkis—of diverse sowmes of money, victuall, and fermes, extending to greit quantitie,—callit, befoir, the said reverend fader befoir the Lordis Judgeis appointit for tryall and decisioun of the attemptattis committit aganis the said Pacificatioun, for restoring and delivering of the same agane to him; and als to big up and repair certane partis, biggingis, and houssis of the said Abbay allegeit demolishit, distroyit and cassin doun be him,—lyke as at mair lenth is contenit in the said Judgeis precept direct in the said mater. At the calling of the quhilk, the said Commendatar, and his procuratouris in his name, producit letters of horning in the said reverend fader, at the instance of certane monkis of the said Abbay—our Soverane Lordis inobedient subjectis for the tyme, and plane partakeris with manifest conspiratouris and rebellis to his Hienes authoritie,—for non pament to thame of thair portionis and pensionis of the said Abbay; quhilkis portionis or pensionis the said reverend fader wes not haldin to pay to thame be ressoun foirsaid; and throw the said horning he wes stoppit to use his defenssis in the said mater; and to cutt him of to use his defenssis, thair wes twa witnessis ressavit and sworne quhilkis ar as yit not examinat, and the xxvi day of Junii instant assignit to the said Commendatar to preif the pointis of the said precept. And albeit the said reverend fader is relaxt fra the said proces of horne, and hes diverse gude defenssis in the said mater; nevertheles the saidis Judgeis, as he is informit, will not heir nor admitt him to propone his just defenssis in the said mater—in respect of the said admissioun of the saidis twa witnessis, upoun Setterday last bipast in his absence, and throw the said horning producit befoir the saidis Judgeis, fra the quhilk he is relaxt as said is. And attour it is statute and ordanit be ane Act in the last Parliament that gif ony question, ambiquitie, doubt, or contraversie arryisis betuix ony subjectis of this realme upoun ony point of the said Pacificatioun befoir the Lordis of Sessioun, or ony uther Judgeis within this realme, that nane

of thame tak upoun hand to decide thairon, bot the interpretatioun thairof only to appertene to the Kingis Majestie and his Regent for the tyme. And anent the charge gevin to the said Johne Commendatar of Abirbrothok, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to heir and se the said Bischope of Murray reponit to use his lauchfull defenssis in the said mater, as gif witnessis had not bene ressavit thairintill; or ellis to allege ane ressonable caus quhy the same suld not have ben done; with certificatioun to the said Commendatar, and he failyeit, my Lord Regentis Grace, with avise of the saidis Lordis, wald proceid heirintill and repone the said Bischope of Murray in maner foirsaid,—as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. The said reverend fader comperand personaly with Maister Alexander Sym his prelocutour, and the said Commendatar comperand be Maister Henry Kinross his procuratour; the ressonis and allegationis of baith the saidis partiis being hard and considerit be the said Regent and Counsall, and thai ryiplie avisit thairwith; my Lord Regentis Grace thairfore, with avise of the saidis Lordis of Secreit Counsall, reponis the said George Bischope of Murray to use his lauchfull defenssis in the mater abone mentionat, as gif witnessis had not bene ressavit thairintill.

Vicarage of Weik.

The quhilk day Johnne Erskin of Dun promeist and become oblist, that Maister Andro Grahame vicar of Weik, sall, betuix the dait heirof and the xxth day of August nix to cum, be him self or his procuratouris, frelie dimitt and resigne his vicarage of Weik in the handis of our Soverane Lord and his Regent, to the effect the samin may be presentit and disponit to a qualifeit persoun; as alsua that the said Maister Andro sall mak his Hienes Collectour Generall his assignay to crave, ressave and uptak the rentis and dewiteis of the said vicarage restand in tyme bigane, quhairthrow the bigane thriddis thairof may be pait; in respect of the quhilk souirtie, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to relax the said Mr. Andro fra the proces of horne led aganis him for non pament of the saidis thriddis in tyme bigane, ressave him to our Soverane Lordis peax, and gif to him the wand thairof simpliciter in tyme cuming.

[Holyrood House, 11th July.]

[George Earl of Huntly Lord Gordon and Badyenoch, principal, and John Blacader of Tulliallan, Alexander Seyton younger of Meldrum, Patrick Cheyn of Essilmonth and Alexander Drummond of Medop, souerties, that the Earl shall enter the bounds of Galloway by the 22d day of July instant, remaining there until released.]

[Holyrood House, 13th July.] Williamel. Ballingal

The quhilk day, anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsall be Williame Ballingall Redar at the paroche kirk of Inche, makand mentioun;—that quhair he hes bene redar at the said kirk continewallie sen the erectioun of Christis religioun within this realme, and wes first admittit be Maister Johne Row Superintendent in the north and put in his buik, secundlie be Johne Erskin of Dun

Superintendent of Angus in Mernis, and thridlie be Maister George Hay Commissioner and Superintendent of Banff and Abirdene; and had assignit to him in all the saidis admissionis twentie pundis of stipend be yeir, to be pait be the collectour of Abirdene and Banff, as all the saidis admissionis proportis. And becaus it is allegeit that he is not rollit and buikit amangis the rest of the redaris, he wantis ten markis be yeir of his said stipend of all yeiris bigane, and gat na thing to leif upoun bot only this thrid of his vicarage, extending yeirlie to twentie merkis of all yeiris bigane, during the tyme of his collectorie, under diverse panis, and last under the pane of rebellioun and putting of him to the horne; and gif he failyeit, to put him to the horne; and als hes causit fens and arreist the teindis and fructis of his said vicarage, to remane under arreistment at the said collectouris instance, of this instant lxxiiii yeiris crop, notwithstanding that the said Williame is admittit be the saidis superintendentis fra tyme to tyme to be Reidar at the said kirk, quhilk cure he hes observit continewallie hetherto; in respect of the quhilk the saidis letters of horning and arreistment aucht and sould be suspendit simpliciter upoun him; desyring thairfore the saidis letters to be suspendit, he to be relaxt, and the said arreistment to be lowsit, lyke as at mair lenth is contenit in the said supplicatioun; quhilk with the foirsaidis letters of admissiounis, being red sene and considerit be my Lord Regentis Grace and Counsall, as alsua the haill narrative of the said supplicatioun verefeit and understand to thair Lordships, and thay ryiplie avisit thairwith. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, suspendis the saidis letters of horning, effect thairof and proces of horne contenit thairintill upoun the said Williame Ballingall for the yeiris bigane, and dischargeis the said collectour and all utheris officeris of putting of the samyn to ony forder executioun aganis him and of thair offices in that part; and gif he be alreddy at the horne, ordanis letters to be direct to relax him thairfra, ressave him to the peax, and gif to him the wand thairof simpliciter in tyme cuming; and als to lowis the said arreistment maid upoun the teindis and fructis of the said vicarage, to the effect the said Williame may intromet thairwith and dispone thairupoun at his pleasour in tyme cuming, sa lang as he remanis redar at the said kirk.

[Edinburgh, 15th July.] [Alexander Innes of Crummy surety that John Innes, Scotsman, shall remain within a mile of Edinburgh, and answer to such things as shall be inquired of him, under the penalty of £100.]

[Holyrood House, 16th July.] *Sederunt*—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Georgius Comes de Cathnes. Gulielmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Justiciarie. Advòcatus.

Issobell Barthilmo. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secrete Counsall be Issobell Barthilmo relict of umquhile Robert Guidlett

marinar in Kinghorn, makand mentioun;—that quhair hir said umquhile spous being at the fischeing the last yeir in the North Ilis, at the loch callit Lochstrone, within the dominioun of Angus M^cAlexander of Glengary, wes in the hinder end of harvist last bipast crewellie sett upoun and slane be Panter, and utheris his complices, dwelland within the said Angus dominioun, and ar his tenentis, as she is suirlie informit. Throw quhilk slauchter the said Issobell and hir foure pure bairnis ar in grit perplexitie and povertie. And anent the charge gevin to the said Angus Makalexander to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to heir and se ordour takin heiranent as appertenit,—lyke as at mair lenth is contenit in the said complaint,—the said Angus comperand personalie, and the said Issobell being alsua personalie present, the circumstance of the said slauchter being hard and considerit be my Lord Regentis Grace and Counsall, and thay ryiplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said Angus, of his awin consent, to affix and hald courtis als oft as neid beis within his boundis and dominioun, and put the committaris of the said cryme to the knawlege of ane assyis, of the marchandis and marinaris that first sal happin to arryve in Lochstrone or Lochcarron at the nixt fischeing; and as thai sall happin to be fund culpable or innocent, to minister justice upoun, conforme to the lawis of this realme, gevand, grantand and committand to him full power and commissioun to this effect be thir presentis. Angus McAlexander.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Margaret Sibbald, relict of umquhile David Air in Nether Liff, makand mentioun;—that quhair sche hes diverse tymes presentit to Williame Lord Ruthven, Thesaurar, ane signature anent the confirmatioun of ane charter grantit to hir be umquhile Patrik Bischope of Murray Commendatar of Scone and Convent thairof, of the said Margarettis landis of Nether Liff with thair pertinentis, offering to him sic reasonable compositioun for the same as my Lord Regentis Grace and Lordis Componitouris suld think meit and convenient; quhilk sche hes presentlie in reddines to be deliverit to our Soverane Lordis use, and yit hes not obtenit the said confirmatioun, to hir hevy dampnage and skaith. And anent the charge gevin to the said Lord Thesaurar to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to answer to the said complaint, the said Margaret comperand be Patrik Air hir sone, and Andro Gray comperand personaly, quha allegeit him to have interes in the said mater, and thairfore desyrit to be hard for his interes, and the said Williame Lord Ruthven not comperand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, remittis the said mater to the said Thesaurar and Lordis componitouris foirsaidis, ordaning and requiring thame to proceid and tak sic ordour thairanent as appertenis; and that all partiis havand or pretendand to have interes be warnit, to heir and see the said ordour takin as efferis. Margaret Sibbald. Thesaurare.

Proclamatioun to meit at Peblis. The quhilk day, my Lord Regentis Grace for certane ressonable caussis and considerationis moving his Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, to command and charge all and sindrie our Soverane Lordis liegis betuix lx and xvi yeiris, and utheris fensible persounis duelland within the boundis of the Sherefdomes of Lanerk, Peiblis and Selkirk, that thai and ilkane of thame, weill bodin in feir of weir with four dayis victuallis and provisioun, address thame to meit his Grace at Peiblis the xxv^{t} day of Julii instant, and sua to accumpany his Grace and attend upoun service as thai salbe commandit during the said space, under the pane of tynsall of lyff, landis and guidis.

Wat Turnbull. Anent our Soverane Lordis letters direct, makand mentioun: Forsamekle as the lordschip of Fewroulie liand within the sherefdome of Roxburgh is now in the handis of our Soverane Lord, throw the proces and dome of forfaltour ordourlie led and deducit aganis Thomas Ker, sumtyme of Phairnyhirst knicht, for certane crymes of tressoun and lesemajestie committit be him of quhilkis he wes convict in Parliament; quhilk haill lordschip is thirlit to the mylne of Habroule; nevirtheles his Hienes and my Lord Regentis Grace ar informit that Walter Turnbull of Hoipisburne hes laitlie interprysit to big a mylne upoun a part of his Majesties landis of Fewroule, to the greit prejudice of the principall mylne and of the watter and suckin thairof, and his Hienes richt of the same gif remeid be not providit. And anent the charge gevin to the said Watt Turnbull to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane,—bringand with him sic richt as he had or micht pretend to the said mylne, to be sene and considerit; and in the meintyme dischargeing the said Walter of all further proceding in the beiging of the said mylne, or grinding of ony cornis thairin, under the pane of rebellioun and putting of him to the horne; with certificatioun and he failyeit letters suld be direct simpliciter to put him to the horn, and to eschete and inbring all his movable guidis to his Hienes use for his contemptioun; like as at mair lenth is contenit in the saidis letters, executioun and indorsationis thairof. The said Walter Turnbull comperand and producit ane charter of fewferme of the saidis landis, quhilk with utheris his richtis and allegeances being sene and considerit be my Lord Regentis Grace and Counsall, and thai ryplie avisit thairwith; my Lord Regentis Grace, with avise of the saidis Lordis, dischargeis the said Walter of ony forder bigging of the said mylne, ay and quhill his Grace and Counsall tak ordour anent the same as apertenis.

Mongo Lokhart. Thomas Quharrie. The quhilk day, anent the terme assignit to Mungo Lokart of Cleghorne to prief the allegeance proponit be him, that he, at the desyre of Thomas Quharry in Kincaidyow and utheris his freindis, gaif his band to Johnne Broun in Crosar Dikriggis for pament to him of the soume of threttie ane pundis money of this realme for releif of the said Thomas, and pament making of the said soume, conforme to the said band befoir the proclama-

tioun maid anent the dischargeing of bandis and pament of ransoun to thevis, like as at mair lenth is contenit in the letters direct thairupoun. The said Mungo Lokhart comperand personaly producit letters dewlie execute and indorsate upoun Robert Makvetie, Johne Makvetie, Williame Quharry, Johne Johnsoun, Alexander Forrest in Lanerk, Archibald Forest in Qwa, Johne Howesoun, Johne Quharrie sone to the said William, Johne Quharrie alias Guidsire, Mr. Johne Weir Dene of Lanerk, Williame Lowrie notar, James Fairservice, Thomas Man, Thomas Young and Thomas Hucheoun, chargeing thame to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to beir leill and suithfast witnessing in sa fer as thai knaw or salbe sperit at thame in the said mater, under the pane of rebellioun and putting of thame to the horne; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit and all the foirsaidis personnis comperand personalie—except the saidis Maister Johne Weir, Williame Lowrie, and James Fairservice, and thay thre being oftymes callit and not comperand,—the Lordis of the Secreit Counsall ordanis letters to be direct, chargeing the saidis Maister Johne, Williame Lowrie, and James Fairservice, yit as of befoir, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall the xxviii day of Julii instant, to beir leill and suithfast witnessing in sa fer as thai knaw or salbe sperit at thame in the said mater, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, letters salbe direct simpliciter to put thame to the horne; and in the meintyme continewis the said mater in the same forme etc., bayth the saidis partiis warnit heirto apud acta.

[Dalkeith 23d July.] Langtoun and Samuelstonis obligatioun.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secreit Counsall, comperit James Cokburne of Langtoun and James Hammiltoun of Sammelstoun, [gave in, and obtained order for registration of, obligation] of the quhilk the tennour followis:—We, James Cokburne of Langtoun and James Hammiltoun of Sammelstoun, grantis us restand awand to ane nobill and michtie Prince James Erll of Mortoun Lord Dalkeith, etc., Regent to our Soverane Lord, his realme and liegis,—for diverse gude deidis, with sindrie grit plesouris and gratitudis, and uther monyfald benefices, schawin and done unto us be the said nobill Prince,—the sowme of ane thowsand pundis money of this realme, the quhilk sowme of ane thowsand pundis foirsaid we bind and oblise us, our airis, executouris and assignais, to content and pay to the said nobill Prince, his airis and assignais, betuix this and the Feist Martymes nix to cum; and for suir pament thairof we ar content this our obligatioun be insert in the buikis of Secreit Counsall, and to have the strenth and effect of ane decreit thairof, with executoriallis of poinding and horning to pas thairupoun, upoun the first charge; and to that effect hes maid and constitute, and be the tennour heirof makis and constitutis our lovittis Maister Johne Scharp our procuratouris in our name, to compeir befoir

the Lordis of Secreit Counsall or ony of thame, and thair to consent to the registering of this present obligatioun, subscrivit with our handis at Dalkeith the twenty thre day of Julii, the yeir of God j^{m}v^{c}lxxiiii yeris, befoir thir witnessis, James Hereot of Trabroun, Williame Wardlaw of Ricartoun, James Striveling, George Johnnstoun. Sic subscribitur: James Cokburne of Langtoun. James Hammiltoun.[1]

[Holyrood House, 28th July.] [Mungo Lockhart of Cleghorne, Thomas Quharrie in Kincardine—procedure postponed for production of testimony.]

[Holyrood House, 29th July.] *Sederunt*—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Georgius Comes de Cathnes. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus.

Cokpule. Cuthbert Johnnestone. Anent our Soverane Lordis letters raisit at the instance of Charles Murray of Cokpule, makand mentioun;—that quhair in the moneth of Marche last bipast he obtenit ane decreit befoir the Stewart of Ananderdale, decerning and ordaning Cuthbert Johnnstoun sone to David Johnnstoun in Preistwodsyde, to remove devoid and red himself, furth of ane sextene schilling land pertening to the said Charlis callit Patersonis Feild, liand within the parochin of Rovell and Stewartrie of Ananderdale, and to desist and ceis thairfra in tyme cuming, lyke as at mair lenth is contenit in the said decreit. Quhairupoun he obtenit letters be deliverance of the Lordis of Counsall and Sessioun, and thairwith causit charge Johne Lord Maxwell Stewart of Ananderdale, to put the same to dew executioun; like as he, conforme to the said charge, removit the said Cuthbert furth of the saidis landis, and enterit the said complenar to the possessioun thairof; like as he, be his servandis and utheris in his name, peciabillie bruikit the same unto the moneth of Maii last bipast, that the said Cuthbert hes wranguslie intrusit himself agane in the possessioun of the said Charlis landis be selling of ane part of the samin—and specialie the Beirland—boistand and minassand his servandis sua that thai dar not remane ony langer thairon for feir of thair lyffis. And attour the said Cuthbert, and Thomas Johnstoun his broder, be him self, thair wyffis, servandis and utheris in thair names, hes takin doun certane houssis being upoun the samyn landis and cariit away the tymber and raftis thairof, and put fyre in ane nowmer of houssis pertening to his tenentis duelland on utheris his landis thairabout, upoun the day of Maii last bipast,—the said complenar being in the meintyme in our Soverane Lordis service at command of the Warden of the West Marches of this realme,—committand heirthrow not only oppin and manifest oppressioun upoun his Hienes liegis, bot als contemptioun and vilipensioun of his authoritie and lawis, to the evill exempill of utheris to do the like gif this be sufferit to remane unpunist, like as

[1] "Deleit be command of my Lord Regentis Grace in writt, daitit at Dalkeyth xvi Novembris 1574."

[2] Other names in Index of omitted names.

the said complenar will be debarrit fra his saidis landis in tyme cuming, without my Lord Regentis Grace and Lordis of Secreit Counsall provide remeid. And anent the charge gevin to Patrik Dunbar fear of Cumnok,—souirtie for the entrie befoir my Lord Regentis Grace of Francis Johnnstoun sone to the said Thomas Johnnstoun in Preistwodsyde, quhilk Francis is plege that the saidis Cuthbert and Thomas sall keip gude reull in the cuntrie and be obedient to the lawis,—to enter and present the said Francis, plege foirsaid, befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer upoun the offence foirsaid committit be the saidis Cuthbert and Thomas,—conforme to the Act of Privie Counsall maid for the said Francis entrie, and under the pane of twa thowsand pundis contenit thairin; with certificatioun to the said Patrik and he failyeit thairin, he suld be decernit to incur the said pane, and letters of horning or poinding of his landis gudis and geir, suld be direct for uptaking of the same in forme as efferis, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Charlis Murray of Cokpule comperand personaly, and the said Patrik Dunbar not enterand nor presentand,—the said Francis plege foirsaid being oftymes callit to that effect and not comperand,—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, decernis the said Patrik Dunbar, souirtie foirsaid, to have incurrit the said pane of twa thowsand pundis, and ordanis letters of horning and poynding to be direct for uptaking of the samyn of his landis and guidis, to the avale and quantitie of the said sowme, and to mak our Soverane Lordis Thesaurar to be pait thairof conforme to the said Act of Previe Counsall, and justice.

That na thing be imprentit quhill it be sene and allowit.

My Lord Regentis Grace and Lordis of Secreit Counsall, understanding quhat harme and dangear it may breid gif all personis at thair plesoure sall imprent and divulgat, materis un-sene and visitit gif thai be godlie and tollerable in the commoun welth or not: For eschewing of the same dangearis and all inconvenientis that heirefter may occur in this behalf, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and in our Soverane Lordis name and authoritie command and charge all and sindrie his Hienes liegis, that nane of thame tak upoun hand to imprent or sell quhatsumevir buik, ballett or uther werk imprentit within this realme in tyme cuming efter the dait heirof,—quhill the same buik, ballett or uther werk be visiit, sene and allowit be the Chancellar, and utheris personis constitute be our Soverane Lordis commissioun to that effect, or ony thre of thame—ane of the Lordis of Previe Counsall being ane of that nowmer—and our Soverane Lordis speciall licence and privilege grantit thairupoun thairefter, under the pane of deid and confiscatioun of all the guidis movable of the contravenaris heirof; and that thair be a Register keippit be the Secretar or his deput of the licences and privilegeis to be grantit, for eschewing of confusioun, and that the libertie of the prenting of ane thing be not gevin to twa personis att anis.

[Edinburgh, 2d August.] The quhilk day Edward Bruce fear of Kynnard and Williame Crawfurde of Parkhall becummis actit and oblist, conjunctlie and severalie, that Charles Crawfurde Archear of the Corps in France, now passing throw England to his service, sall directlie pas the hie way and cary na letters to the Quene our Soverane Lordis moder, nor nane of his Hienes rebellis and dissobedient subjectis now remaining in the parts beyond sey, nor sall do nor attempt na thing in secret in hurt or prejudice of his Hienes, his realme and leigis, under the pane of ane thousand pundis. Sic subscribitur: Edward Bruce of Kynnard. Williame Crawfurde of Parkhall.

[Aberdeen, 9th August.] Proclamatioun that nane invade utheris. Forsamekle as my Lord Regentis Grace and Lordis of Secreit Counsall, being reparit in this cuntrie for establishment of justice and punishement of disordouris and enormittis attemptit aganis our Soverane Lordis authoritie and commoun weill of the realme, quhilk aucht not to be hinderit or impedit be ony partiis privat quarrellis. Thairfore ordanis ane herauld maser or uther officiar of armes, to pas to the marcat croce of Abirdene, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindrie his Majesties liegis presentlie convenit, or that sal happin to convene within the same, that nane of thame tak upoun hand to invade or persew utheris owther for auld feid or new, or mak provocatioun or trouble to utheris, in word deid or continance, under the pane of deid; certefeing all and quhatsumever personis contravenaris heirof, that thai salbe repute and haldin as seditious personis, disturbaris of the publict quietnes, and hinderaris of our Soverane Lordis obedience and service; and the said pane of deid salbe execute upoun thame with all rigour and extremitie in exemple of utheris.

[Aberdeen, 12th August.] *Sederunt*—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Andreas Comes de Rothes. Andreas Comes de Arroll. Robertus Comes de Buchane. Magister de Marschell. Robertus Commendatarius Dunfermling. Commendatarius de Deir. Computorum Rotulator. Advocatus.

Williame Lindesay. Robert Abircrumby. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Williame Lyndesay be [against] Robert Abircrumby burges of Edinburgh, makand mentioun.—That quhair upoun the xvi day of Januar, the yeir of God j^{m}v^{c}lxxiii yeiris, it wes convenit betuix the said Robert on the ane part, and the said Williame on the uther part, that he with all possible diligence efter the ressaitt of his letters, suld pas furthwart to Lundon, or quhair the Court sould happin to be for the tyme, and present sic letters as my Lord Regentis Grace commandit to be direct for the tyme, and do his utter diligence for the releif of James Mathesoun and Alexander Jamesoun, and to await thairon gif neid wer xv dayis nixt efter his cuming thairto, as alsua, gif neid requirit, that he remanit langar,—or yit to pas to Yarmouth, or ony sic occasioun that micht happin for releif of the saidis persounis; than and in that cace the said Robert oblist him to mak the

said Williames reasonable expenssis, and to pay the same to him according to his reasonable compt to be gevin in thairupoun efter his returning hamewart. And it is of veritie that according to the said conventioun he past to the Court at Lundon, and thair did his exact diligence for releif of the foirsaidis personis, and remanit in making of sute and travell to that effect be the space of thre monethis or thairby, lyke as be his travell and diligence the saidis persounis wer relevit and put to libertie; and in his awaitting and making of sute to that effect, he maid and debursit certane expenssis extending to the sowme of lxxvii lĩ. money of the realme, as the particular compt proportis; and albeit the said Robert Abircrumby, according to the conventioun foirsaid, aucht and sould mak pament to the said Williame of the sowme abone writtin, as for the saidis expenssis debursit be him as said is; nottheles the said Robert wranguslie postponis and differis to do the same without he be compellit. And anent the charge gevin to the said Robert, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to answer to the said complaint, as the samin, executioun and indorsatioun thairof, at mair lenth proportis; quhilkis being callit, bayth the saidis partiis comperand personaly, the said Robert grantit the said conventioun, and that he wes content to mak pament to the said Williame of his expenssis,—consideratioun being had be men of judgement quhat the same extendis to, he having alsua a releif of the saidis James Mathesoun and Alexander Jamesoun or utheris quhome it efferis. Quhairfore my Lord Regentis Grace, with avise of the saidis Lordis, ordanit David Fores generall of the cunyehous and Alexander Hay, to visie and considder the said Williames comptis of his saidis expenssis, that upoun thair report ordour micht be takin heiranent as appertenit; quhilkis comptis being sene and considerit, report wes maid thairanent to my Lord Regentis Grace and Counsale. My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Robert to content and pay to the said Williame the sowme of ten pundis stirling, as for his saidis expenssis maid the tyme abonewrittin, conforme to the said conventioun, by and attour the sowmes of money alreddy ressavit be him, reservand alwayis actioun to the said Robert aganis the said James Mathesoun and Alexander Jamesoun, or utheris quhome it efferis, befoir my Lord Regentis Grace and Lordis of Secreit Counsall, for his releif, as accordis of the law; and that letters of poynding or horning, within the space of xv dayis, be direct heirupoun as accordis.

Sederunt—Ut in die predicto. [Aberdeen, 13th August.]

The quhilk day, anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be James Murray, only levand of the Convent of Monymusk; makand mentioun.—That quhair he hes bene in use of pament of the soume of fourtie pundis yeirlie of the fructis of the Priorie of Monymusk as for his portioun and leving during the lyftyme of umquhile Mr. Johne Hay, last Prioure of Monymusk, pait to him be James Murray.

Mr. Duncane Forbes.

Maister Duncane Forbes of Monymusk, takkisman of the said Priorie, and alwayis thankfullie allowit to him in a part of the yeirlie dewitie contenit in his tak; nevirtheles the said Maister Duncane now differis and postponis to mak pament to the said James Murray of his said yeirlie pensioun or portioun to his utter heirschip, being a pure ageit man and having na thing ellis to sustene him and his familie upoun, allegeing that the same will not be diffasit nor allowit to him in his yeirlie dewitie aucht for the said Priorie, be sic as my Lord Regentis Grace hes gevin the titill of the same unto, and he is unabill to enter in proces heirfoir befoir the Lordis of Sessioun, bot of necessitie will be constranit to leif the seiking thairof, without my Lord Regentis Grace favorabillie tak sum ordoure thairanent. And anent the charge gevin to the said Mr. Duncane, and als to Johne Master of Forbes in quhais favour the said Priorie is disponit, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to answer to the said complaint, and to heir and se ordour takin anent the same, as appertenit; lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof. Quhilkis being callit, and the saidis partiis comperand personaly, thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsall, and thai ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Mr. Duncane as takkisman foirsaid, to mak pament to the said James Murray of the sowme of twenty pundis, as for his pensioun or portioun of the yeir of God j^{m}v^{c}lxxiii yeiris; and siclike the said sowme yeirlie in tyme cuming during his lyftyme, and the samin to be allowit to the said Mr. Duncane in the first end of the yeirlie dewitie of his tak and assedatioun maid to him of the said Priorie.

[Aberdeen, 18th August.]

Certane injunctionis to the Provest and Baillies of Abirdene.

The quhilk day comperit Gilbert Meinzeis of Cowlie, Maister Patrik Rutherfurde, Maister George Middiltoun, and Alexander Chalmer, Baillies of Aberdene, quhilkis wer admoneist be my Lord Regentis Grace in presence of the Lordis of Secreit Counsall, in maner and to the effect following:—

That thay suld inhibite and expreslie punishe the superstitious keping of festuall dayis usit of befoir in tyme of ignorance and papistrie, and all playis and feisting at thay tymes.

That thai punishe the blasphemaris and abusaris of Godis name, and appoint sum honest and godlie personis to note the offendouris, lifting the panys contenit in the Actis of Parliament, and apprehend the same according thairto.

That thai permitt na mercat to be kepit within the toun nor fredome thairof upoun the Sabboth day, quhairby the people may be withdrawin fra the serving of God, under the pane of escheting of the guidis that salbe presentit to the saidis mercattis, conforme to the Act of Parliament maid thairanent; gevand, grantand, and committand to the saidis Provest and Baillies commissioun, power, and charge sa to do, as thai will answer upoun thair obedience.

That the persounis knawin and suspectit to haif and keip ymagerie or utheris monumentis of ydolatrie be chargeit to present the same.

That the organis with all expeditioun be removed out of the kirk, and maid proffite of to the use and support of the pure, and that the preystis stallis and bakkis of altaris be removed furth of the places quhair thai now remane, and situat in the partis of the kirk quhair men may be best easit be thame to heir the sermonis, and sic thingis as servis not for that use to be utherwyise disponit or maid money of.

That the pure be not defraudit of the almus collectit at the kirk dur, bot the same to be distributit as is the custum in the utheris reformit kirkis of this realme; and that thair be contributioun maid be all the parochynaris for leting and reparatioun of the paroche kirk, according to the Act of Parliament maid thairanent, quhairanent ordanis the Provest and Baillies to do diligence.

That the haill place, alsweill kirk as the rest, sumtyme pertening to the Gray Freiris,—except samekle as is thocht requisite for the ludgeing of the pure—be roupit to the maist avale, and sett in few heretabillie to sic as will gif maist yeirlie dewitie thairfore, and the same to be fully applyit to the use and sustentatioun of the pure.

That the Provest and Baillies in thair awin houssis tak cair upoun the godlie rewlling thairof, and admonishe all utheris thair nichtbouris to do the like, and that thai cullour nor foster not the vices and slaunderis of thair tenentis and houshald servandis, bot further the correctioun of thaim as thai sal happin to offend, ather be ordour of the kirk or the magistrattis, as the cause requyris.

That the Provest, Baillies, and Counsall of Abirdene uptak fra James Leslie, present possessour of the croft and myre pertening to the lipperfolk betuix New and Auld Aberdene, the yeirlie dewitie thairof, off the fyve yeiris bigane confessit awand be him; and thairwith and sic uther collectioun as may be had, to caus the said hous be theikkit and reparit for the ressett of the said lipperfolk in tyme cuming; and efter the end of the ane yeiris tak now clamyt be the said James Leslie, to caus rowp the said croft and myre quha will gif maist yeirlie dewitie thairfore fra thre yeir to thre yeir, and to caus the haill proffite that may be had thairof be employit upoun the uphalding of the said hous and sustentatioun of the lipperfolkis that salbe thairin.

Sederunt—Domini ut in die predicto. [Aberdeen, 23d August.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Maister Duncane Forbes of Monymusk, makand mentioun;—that quhair efter the reformatioun of religioun, the Gray Freiris place within this burgh being left void of the Freiris thairof, it plesit umquhile Marie Quene Dowrear of this realme for the tyme, to grant and gif to the said Mr. Duncane the keping and observing of the said Gray Freir place, with power to him to lauboure, use, manure and occupy the Mr. Duncane Forbes.

landis and yardis be himself, his servandis and utheris in his name at his plesour, as in his said gift grantit and gevin to him thairupoun beris. Quhilk gift he obtenit ratifiit of our Soverane Lordis moder be ane uther letter subscrivit with hir hand and under the signet with command in the same to the Provest and Baillies of Abirdene, to pas and put him in possessioun of the said place with the houssis, biggingis and yardis pertening thairto, and to keip and defend him thairintill, ay and quhill it plesit hir Grace to tak ordour thairanent, as in the said letter of confirmatioun of his formar gift at mair lenth is contenit; and albeit he hes oft and divers tymes requirit the saidis Provest and Baillies to enter him to the possessioun of the said Gray Freiris place, yardis and landis pertening thairto, conforme to the said gift, nottheles thai on na wyise will do the same without thai be compellit. And anent the charge gevin to Thomas Meinzeis Provest, Gilbert Meinzeis, Mr. George Middiltoun and Maister Patrik Rutherfurde Baillies of Aberdene, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, bringing with thame sic richtis and titillis as thay pretend to the saidis Freir place and yardis, that ordour micht have bene takin heiranent as appertenit; like as at mair lenth is contenit in the said complaint; the saidis Gilbert Meinzeis and Mr. George Middletoun comperand personalie for thame selffis, and in name and behalf of the saidis Thomas Meinzeis and Mr. Patrik Rutherfurde,—the said Mr. Duncane being alsua personalie present; the richtis, ressounis and allegationis of baith the saidis partiis being hard, sene and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, fyndis—in respect of the foirsaid letter maid to the said Mr. Duncane, makand mentioun, that the same suld indure quhill forder ordour wer tane, and that sensyne the said ordour is tane be ane gift of our Soverane Lordis, with avise of umquhile James Erll of Murray Regent for the time, of worthy memorie, disponand the said place, with the yardis, houssis and utheris abonewrittin, to the Provest, Baillies and communitie of Aberdene for ane hospital to the pure lamitt and faderles infantis,—that thairfore na possessioun aucht to be gevin to the said Maister Duncane thairupoun, bot that the same and haill proffeitt thairof aucht to be appliit to the use of the said pure; and to that effect ordanis the saidis Provest and Baillies of Aberdene to caus rowp the haill place and utheris foirsaidis, to the uttermaist avale and proffeitt, to be appliit and gevin to the use and behuif of the pure afoir my Lord Regentis Grace departing furth of this burgh; certifeand thame in cace thay failye in rowping of the same,—or utherwyise convertis or usis the said place, orchardis, yardis and utheris abonewrittin, or ony part thairof, to ony uther use under quhatsumever culloure or pretence,—that thair infeftment salbe reduceit and decernit null, with all that followit or may follow thairupoun; and ordanis our Soverane Lordis advocat in cais of failye as said is, to persew for reductioun of the same as accordis.

Provest and Baillies of Abirdene.

Sederunt—Jacobus Dominus Regens. Andreas Comes de Arroll. [Aberdeen, 25th August.]
Robertus Comes de Buchane. Magister de Marschell.
Robertus Commendatarius de Dunfermling. Computorum Rotulator. Advocatus.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secrete Counsall be the burgessis and induellaris of Abirdene, makand mentioun;—that quhair thair wes ane hous callit the lipper hous, biggingis and yardis thairof, maid betuix the said burgh and the auld toun of Abirdene, with ane croft and ane braid myre adjacent thairto, annext to the same for support of the lippermen and wemen dwelling thairin; and now the same is decayit and fallin doun, and the tymmer thairof stowin and awaytakin, quhairthrow the lipper men and wemen resortis and frequentis dalie amangis the societie of utheris persounis; and the said croft and braid myre and dewitie thairof, wranguslie intromettit with be the space of fyve yeiris last bipast be James Leslie burges of Abirdene; and the Provest, Baillies and Magistrattis of this burgh hes na regaird thairto. And anent the charge gevin to the said James Leslie, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane to answer to this complaint, as the same at mair lenth proportis. Quhilkis being callit, and the saidis James comperand personalie, produceit ane letter of tak maid to him of the said croft and myre be certane chapellanis thairof for the tyme, for the space of threttene yeiris, to indure efter the day of Aprile, the yeir of God j^{m}v^{c}lxii yeiris; quhilkis with diverse utheris, his richtis, ressonis and allegatiounis being hard, sene and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, fyndis that the said James Leslie aucht to bruik the said croft and myre conforme to his said tak, and during the yeir of the same yit to ryn; and ordanis him to pay and deliver the yeirlie dewitie of the same,—alsweill of the saidis fyve yeiris confessit be him restand unpait as for the said yeir to cum,—to the Provest and Baillies of this burgh of Abirdene, that the same, with sic uther sowmes of money as salbe collectit be thame amangis the inhabitantis of the said burgh, may be appliit upoun the beiging, mending and reparatioun of the said lipperhous for the use and remaning thairin of the pure; and at the ische and full compleit end of the said tak, ordanis alsua the saidis Provest and Baillies to caus rowp the said croft and myre fra thre yeir to thre yeir; and putt the same to the uttermaist avale and proffeit to be employit and gevin siclike to the use and behuif of the said pure, and na utherwyis. Burgessis of Abirdene. James Leslie.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be David Stewart Redar at Colstane upoun James Reid Persoun of Colstane, makand mentioun;—that quhair according to the generall the said David hes appointit to him with the gleib and manse of Colstane the soume of sextene pundis money of this realme, to be pait to him yeirly be [Aberdeen, 16th August.] Redar of Colstane. James Reid.

the said Persoun of Colstane, the said Persoun now admittit thairto, sa lang as the said David remanis Redar at the said Kirk of Colstane; nottheles the said Persoun allegeand the fructis of the lxxiii yeir of God to pertene to the annat, refuissis not only to mak pament to the said David of the said xvi pundis appointit to him as said is, bot als intendis to eject him furth of his said gleib and manse, and sett the samyn at his plesour expres contrar the ordour maid thairanent; quhairthrow he will be forcit to leif his vocatioun, without remeid be providit. And anent the charge gevin to the said James Reid to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to answer to this complaint, and to heir and see ordour tane anent the same as appertenit. The said David Stewart comperand personalie and the said James Reid oftymes callit and not comperand; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, command and charge the said James Reid to mak pament to the said David Stewart of the said soume of xvi li. as for his stipend of the said lxxiii yeir of God, conforme to the said generall ordour, within ten dayis nixt efter he be chargeit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the saidis ten dayis being bipast, to denunce him rebell and put him to the horne, and to eschete, etc.

[Aberdeen, 27th August.] Thomas Cumyng in Kilduthy.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secreit Counsall, Thomas Cuming in Kilduthy producit ane Act of the Sheref Court buikis of Abirdene subscrivit be Williame Bruce depute clerk thairof, of the dait at the Mure of Ryny the day of the yeir of God j^{m}v^{c}lxxi yeiris, contenand ane nominatioun and electioun of Maister Alexander Gordoun in Thombrakis Gordoun of George Gordoun of Pronny, and the said Thomas Cuming in curatouris to Alexander Cuming of Culter; quhilk Act being sene and considerit be his Grace and Lordis foirsaidis, thay find and declaris the same to be null, vane and insufficient, and to have na force nor effect for ony tyme bigane or to cum.

[Aberdeen, 31st August.]

Sederunt—Jacobus Dominus Regens. Comes de Rothes. Robertus Commendatarius Dunfermling. de Quhittinghame. Advocatus.

Band of Abirdene.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Privie Counsall, comperit Maister Robert Lummisden in name of the Provest, Baillies and Communitie of the burgh of Abirdene, and gaif in this band and obligatioun underwrittin,—subscrivit be Mr. Johne Kennedy commoun clerk of the said burgh, and under the commoun seill of the samyn,—and desyrit the samyn to be actit and registrat in the buikis of Secreit Counsall, to have the force and strenth of ane act and decreit of the Lordis thairof in tyme cuming, and letters and executoriallis to be

direct thairupoun in forme as efferis; quhilk desyre my Lord Regentis Grace finding ressonable, ordanit the same to be insert and registrat in the saidis buikis to the effect foirsaid, off quhilk the tennour followis: Be it kend till all men be thir present letters,—We, the Provest, Baillies, Counsall, and Communitie of Abirdene, to be bundin and oblist, and be the faith and treuth in oure bodyis faithfullie bindis and oblissis us, to the richt excellent, richt heich and michtie Prince James the Sext, be the grace of God King of Scottis, our Soverane Lord and his richt traist cousing James Erll of Mortoun Lord of Dalkeith Regent to his Hienes, his realme and liegis; that forsamekle as for the removing of the lait publict troublis and civile weir quhairwith this realme wes sa lang grevit and inquietit, to the displeasure of Almichtie God, the dannger of his trew religioun, hurt and prejudice of our Soverane Lord and haill commoun of this realme,—the said Lord Regent hes brocht to pas and concludit ane gude and godlie Pacificatioun, thairby—for publict quietnes caus; remitting not only greit and haynous crymes and offences to the personis propirlie comprehendit in the said Pacificatioun, bot to divers utheris, quhilkis notwithstanding the same micht justlie have bene punist with rigour and extremitie; for quhilk favour and clemencie ressavit be us amangis utheris, we sall in all tyme cuming continew faithfull and obedient subjectis to our Soverane Lord, his auctoritie and Regent foirsaid, and sall never knaw of ony tressoun, rebellioun, skaith or danger, to be conspirit attemptit or interprisit aganis the same within or without this realme, quhilk we sall not reveill to his Hienes and his said Regent with all possibill diligence, and tak, apprehend and present all suspect persounis and writtingis, cuming in the realme or intending to depart thairfra be our port, in tyme cuming; and als that we sall na wyis ressett, supple, assist, fortefie, schaw favour or mantene, ony of our Soverane Lordis present declarit tratouris and notorius rebellis, or utheris strangearis or borne subjectis of the realme that heirefter sall happin to conspire, usurp and rebell aganis his Hienes, his said Regent and auctoritie, bot sall resist and repres thame to our utter power; and gif we be not abill to withstand thair force and invasioun, we sall remove our selffis, oure famileis and guidis furth of the said burgh to the partis of the realme than abyding in oure Soverane Lordis obedience, and concur with his faithfull liegis, to the defence and preservatioun of his estait and authoritie; quhairthrow the saidis declarit tratouris, rebellis, conspiratouris, and tribularis of the commoun weill, strangearis or utheris, sall not be aidit, suppleit, furnesit, harbureit or intertenit be us nor our moyen, or voluntary be our guidis, directlie or indirectlie. And in like maner that we sall on na wyis elect or admitt ony persoun or personis to the offices of Provestrie, Baillierie, Thesaurarie, Denerie of Gild, Commoun Clerkschip, or to be of the Counsall of the said Burgh at the Feist of Michaell—Michaelmes nix to cum—or thairefter in tyme cuming, bot sic personis as ar knawin zealous professouris of the trew and Christiane religioun, now publictlie precheit and be law establishit within this realme, and that hes bene and is knawin to

be ernist and affectionat weilwillaris to the avancement and furthsetting of his Hienes auctoritie and service, as we sall answer to God and his Hienes upoun our allegeance and dewitie,—under the pane of twentie thowsand pundis, to be pait be us to his Majesties use, and tinsall of the fredome of the said Burgh for us and oure successouris perpetuallie. And attour we ar content and consentis that this oure band and obligatioun be actit and registrat in the buikis of our Soverane Lordis Previe Counsall and Sessioun, or ather of thame, to have the strenth of ane Act, and decreit of the Lordis thairof, and that letters and executoriallis be direct thairupoun in forme as efferis. In witnes of the quhilk thing, to this our present band, promeise and obligatioun subscrivit be our commoun clerk at our command, the commoun seill of our said Burgh is to hungin, at the same Burgh the last day of August, the yeir of God j^{m}v^{c} threscoir and fourtene yeiris. Sic subscribitur: Ita est Magister Joannes Kennedy notarius publicius ac scriba burgi de Aberdene de mandato Prepositi, Ballivorum, Consulum, et Communitatis ejusdem burgi manu propria.

[Aberdeen, 1st September.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Andreas Comes de Rothes. Andreas Comes de Arroll. Robertus Comes de Buchane. Georgius Episcopus Moraviensis. Robertus Commendatarius Dunfermling. Computorum Rotulator. Advocatus.

Jonet Symmer Achesoun.

Anent the summondis intentit and persewit be Johne Achesoun master of our Soverane Lordis cuinye, and of Jonet Symmer relict, and Johne Aslowane sone lauchfull and executour to umquhile Johne Aslowane burges of Edinburgh, and Richard Abircrumby alsua burges of the said burgh, now spous to the said Janet, for his interes,—aganis Robert Ker and Johne Johnstoun callit of the Coittis burgessis of Edinburgh, and Johne Erll of Atholl Lord of Balvany for his interes—gif he ony hes—for productioun and reductioun of ane pretendit decreit allegeit gevin be the Lordis of the Quene our Soverane Lordis moderis Secreit Counsall, at Edinburgh upoun the xxiii day of Februar, the yeir of God j^{m}v^{c}lxv yeiris, in favouris of the saidis Robert Ker, Johnne Johnnstoun, and of the said Erll of Atholl for his interes aganis the saidis complenaris, tuicheing the leid ure of the mynis of Glengonar and Winlok, for certane ressonis and caussis, specifeit and contenit in the principall summondis rasit thairupoun, as the samin at mair lenth proportis. The saidis Johne Achesoun and utheris his collegis abone writtin comperand be Johne Reid thair procuratour, and the saidis Robert Ker, Johne Johnnstoun and Johne Erll of Atholl oftymes callit and not comperand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, hes continewit and continewis the said mater in the same forme, force and effect as it is now, bot prejudice of partie unto the day of October nix to cum; and ordanis letters to be direct, chargeing the saidis Robert Ker, Johne Johnnstoun and Johne Erll of Atholl, to compeir befoir his Grace and Lordis foirsaidis the said day, bringing and produceing with thame the

Robert Ker and his Collegis.

said pretendit decreit, togidder with the principall supplicatioun or complaint quhairupoun, the same procedit, with all and sindrie allegeances defenssis and answeris proponit be ather of the saidis partiis in the said mater specifiit and contenit in the saidis principall summondis, to be sene and considerit be my Lord Regentis Grace and Counsall to the effect abonewrittin; with certificatioun to thame and thai failye thairin, the same salbe retretit, cassit, annullit, decernit and declarit to have bene fra the begynning and to be in all tyme cuming null and of nane avale, force nor effect; according to the desyre of the said principall summondis, and justice.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsall, comperit Alexander Gordoun of Abiryeldy, and producit ane vallentyne deliverit to him for presenting of Matho Frig befoir the Justice or his deputtis, quhilk he ressavit upoun the fourtene day of August last bipast, and that same nycht he send away spyis to se gif he wes at the mylne of Hoill, quhair he remanit with his fader, and the spyis remanit thair quhill the deponaris awin cuming, quhilk wes upoun the day of the same moneth; and efter the ressett of this valentyne deponis that the said Matho come to his said faderis hous, and how sone he come the spyis quhom the deponar directit come bak agane and tauld the deponar that he wes thair, supponand he sould not haif past away; notwithstanding befoir the deponaris cuming he wes eschapit. Denyis that he gaif ony command to the spyis to tak him.

[James Gordon of Haddo surety that Alexander Knowis, younger, burgess of Aberdeen, shall be "harmless" of Alexander Gordon of Abirgeldy. Penalty one thousand pounds.

Andrew Earl of Errol surety that William Watson shall be "harmless" of him, under pain of reproof, infamy, and dishonour.]

Sederunt—Domini ut in die predicto. [Aberdeen, 2d September.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Williame Kinloch, makand mentioun;—that quhair he being ane young man, myndfull be his awin industrie and honest travell to win his leving and sustentatioun, brocht four barrell of salmond,—twa thairof fra ane Paull Dunbar, and uther twa fra James Chalmer in the Garnoch,—being with himself persuadit as ane of our Soverane Lordis trew liegis, but ony molestatioun or impediment, to mak his proffeitt and use thairof, having na mair geir of his awin; nevirtheles, upoun the xvii day of August instant, Thomas Weddell, Johne Seytoun, Alexander Myll, and Thomas Corsaw come to the said James Chalmeris hous, quhair the saidis complenaris four barrellis of salmond wer lying, of the causing and command of Archibald Stewart burges of Edinburgh, and thair maisterfullie spuilyeit and away tuik fra him, the said salmond being his awin proper Williame Kinloch. Archibald Stewart.

geir, and transportit the same to Leith, by all ordour of law or reasoun, and in hie contempt of our Soverane Lordis auctoritie gif sic enormiteis be unpuneist. And anent the charge gevin to the said Archibald Stewart to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bigane, to answer to this complaint, as the samin at mair lenth beris. Quhilkis being callit, and baith the saidis partiis comperand personalie, the ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsall, and thai ryiplie avisit thairwith; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, chargeing the said Archibald Stewart to restoir and deliver agane to the said Williame Kinloch the saidis four barrellis of salmond, to the effect he may dispone thairupoun at his plesour, within ten dayis nixt efter the said Archibald be chargeit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failye thairin, the saidis ten dayis being bipast, to denunce him our Soverane Lordis rebell and put him to the horne, and to eschete, etc., becaus James Forbes, Johne Donaldsoun, burgessis of Abirdene, become cautioneris and souirteis conjunctlie and severalie, that the said four barrellis of salmond salbe furthcumand to the said Archibald and all utheris havand interes thairto, as law will; like as the said Williame Kinloch oblist himself to releif his saidis cautioneris of the premissis, and of all pane and danger that thai sal happin to sustene thairthrow.

To denunce Mr. Alexander Seytoun.

My Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis ane officiar of armes to pas to the mercat croce of Abirdene, and thair be oppin proclamatioun denunce Maister Alexander Seytoun our Soverane Lordis rebell and put him to the horne,—becaus he being oftymes callit to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to haif answerit to sic thingis as sould have bene inquirit at him, under the pane of rebellioun and putting of him to the horne, with certificatioun to him, and he failyeit, the said day being bipast, he sould be denuncit thairto, and comperit not.

Band of the Baronis in the North.

Be it kend till all men be thir present letters, us, the Erllis, Lordis, Baronis, landitmen and utheris subscrivand, to be bundin and oblist, and be the faith and treuth in our bodyis, faithfullie bindis and oblissis us, to the richt excellent, richt heich and michtie Prince James the Sext, be the grace of God King of Scottis, oure Soverane Lord, and his richt traist cousing James Erll of Mortoun Lord of Dalkeith, Regent to his Majestie, his realme and liegis, and to his Hienes successouris—That forsamekle as for the removing of the lait publict troublis and civile weir quhairwith this realme wes sa lang grevit and inquietit, to the displesour of Almichtie God, the dangear of his trew religioun, hurt and prejudice of our said Soverane Lord and haill common weill of this realme; the said Lord Regent hes brocht to pas and concludit ane gude and godlie Pacificatioun, thairby—for publict quietnes caus—remitting not only grit and haynous crymes and offences to the personis

propirlie comprehendit in the said Pacificatioun, bot to divers utheris quhilkis notwithstanding the same micht justlie have bene punist with rigour and extremitie; quhairfore we sall in all tyme cuming continew faithfull and obedient subjectis to oure said Soverane Lord, his auctoritie and Regent foirsaid, and sall never knaw of ony tressoun, rebellioun, skaith or danger to be conspirit, attemptit or interprisit aganis the same within or without this realme, quhilk we sall not reveill to his Hienes and his said Regent, with all possible diligence, and withstand the same to our utter poweris; and als, that we sall na wyis ressett, supplie, assist, fortefie, schaw favour, or mantene ony of our Soverane Lordis present declarit tratouris and notorius rebellis, or utheris, strangearis or borne subjectis of this realme, that heirefter sall conspire usurp and rebell aganis his Hienes, his said Regent and authoritie. And in cais ony of the saidis borne subjectis of this realme, or strangearis, sall privelie practize or oppinlie pretend ony uprore, deid, or hostilitie, under quhatsumever cullour or pretense, to the subversioun of the trew religioun, oure Soverane Lordis authoritie, the troubling of the present estait and commoun quietnes of the realme, we and ilkane of us be oure selffis, oure kin, freindis and haill forces that we may mak, sall ryise, concur and assist togidder, alsweill to the resisting and suppressing of thame and thair interpryissis, as for thair persute and invasioun at all occasionnis; and siclike gif ony personis duelling within ony part of our landis, lordschippis, boundis, rowmes, takkis, stedingis and baillieries, committis ony crymes sic as tressoun, fyre raising, murthur, revesing of wemen, slauchter, mutilatioun, reif, thift, ressett of thift, forthocht fellony, commoun oppressioun, adultrye, incest, witchecraft, ydolatre, inbringing and outputting of fals and corrupt money, sorning be maisterfull begging or utherwayis, ressett of horners, assistence to thevis and tratouris, slauchter of blak fische, polking and polting or ony uther crymes quhairupoun deid or confiscatioun of guidis may follow;—efter the committing of ony sic crymes, we or ony of us, under quhome the saidis committaris duellis, being requirit be oure Soverane Lordis authoritie, or be the Justice or Justice Clerk, sall enter the persoun or personis delatit of the saidis faltis, ane or ma, outher in justice airis or at particular diettis, or befoir the Privie Counsall, as we and ilkane of us, for our awin part, beis requirit upoun xv dayis warning, to underly the law for the same crymes that thai ar delaittit of befoir the Justice or his deputtis, ilk persoun as efter followis, that is to say; for fyre raising, revesing of wemen, slauchter, murthur, mutilatioun, ilk gentilman landit, under the pane of ane hundreth pundis, ilk gentillman unlandit under the pane of ane hundreth merkis, and ilk yemen man fourtie pundis; and for ilk uther cryme abone expremit under the pane of law, and becummis ilkane of us for oure awin part souirtie thairfor to the secund air or court peremptour, and sall answer to oure Soverane Lord and his said Regent for thair eschete guidis in cais ony of the saidis personis beis forgitive, and will not compeir to underly the law for sic crymes as thai salbe delaittit of; and we and ilkane of us sall expell and put thame furth of oure saidis landis, lordschippis, rowmes, takkis, sted-

ingis and baillieris, and siclike thair wyffis and bairnis; and sall tak thair takkis and stedingis fra thame, and put in utheris personis to use and occupy the same; and sall hald thame, thair wyffis and bairnis, perpetuallie furth of the saidis landis, takkis and stedingis. And gif it salhappin ony of the saidis persounis transgressouris or evill doaris to resort and cum agane within our saidis boundis or ony of ouris, and beis sufferit to remane thairintill ten dayis be our witting; in that cace we and ilkane of us for our awin part, within quhais boundis it salhappin the saidis transgressouris to resort,—we grant and confes us, and ilkane of us that failyeis thairintill culpable and accusable of ony crymes that it salhappin the saidis transgressouris or ony of thame to commit the tyme of thair returning and receptatioun; and upoun all and sindrie the premissis we ar content to abyde the knawlege of ane assyis or tryell befoir our Soverane, his Regent and Privie Counsal, quhenever and in quhatsumever place it sall pleis oure Soverane Lord, his said Regent and his Hienes successouris, to call us to be accusit or tryit. And gif it beis fundin that we or ony of us beis faltive or culpabill in ony point, it sall be lefull to our said Soverane Lord, his said Regent and authoritie, to punis us or ony of us that beis culpable, be deid punishing, or confiscatioun of oure guidis, at his Majesties will, and to hald us culpable of all faltis to be committit be the trespassaris and misdoaris that we or ony of us gevis favouris or assistence to; and als we sall not ressett nor ressave within our boundis ony personis that ar fugitive fra the law, or expellit, or abonewrittin; and gif we or ony of us dois in the contrair, the failyear to incur the panis abone expremit, and to be processit and punist thairfoir as mantenaris, resettaris of thevis and misdoaris within thair boundis. In witnes of the quhilk thing we have subscrivit thir presentis with our handis, in maner following:—At Abirdene, the secund day of September, the yeir of God $j^{m}v^{c}$ thre scoir fourtene yeris. Sic subscribitur: Andro Erll of Arroll. Robert Erll of Buchane. Williame Maister Merschell. Johnne Lord Glammis. Johne Lord Innermeith. Henry Lord Sinclair. Johnne Maister of Forbes. Robert Commendatar of Deir. Alexander Fraser of Fillorth. Johnne Keith of Pettindrum. Walter Barclay of Towy. George Meldrum of Fyvy. Patrik Mowat of Boquhollie. Patrik Dalgarno of that Ilk. Williame Craufurde of Fedderat. Johne Gordoun of Carnburro. Williame Gordoun of Craig. Alexander Gordoun of Abiryeldy. Johnne Forbes of Tolleis. William Urry of Petfechy. Robert Forbes of Echt. Williame Straquhin of Glenkindy. Williame Cuming of Innerallquy. Thomas Meldrum of Eden. Andro Meldrum of Darley. George Halyburtoun of Petcur. Williame Hay of Dalgaty. Williame Hay of Ury. Alexander Forbes of Petsligo. Alexander Irwing of Drum. James Gordoun of Haddo. Williame Lesk of that Ilk. Alexander Buchane of Auchmacoy. Alexander Annand of Auchterallane. Andro Keith of Ravynniscraig. Williame Seytoun of Meldrum. Johnne Chene of Straloch. Alexander Irwing of Belty. Johne Burnet of Leyis. Alexander Forbes of Auchintowill. James Skene apperand of that Ilk. Michaell Fraser of Stanywod. Williame Dowglas of Glenbervy. Johnne Strathauchin of Thortoun. Williame Chene of Arnaige. Williame Oudny

of that Ilk. Johne Pantoun of Petmedden. Alexander Bannerman of Wattertoun. Johnne Erskin of Balhagardy. George Johnnstoun of Caskyben. Alexander Tulydaff of Ranystoun. Johne Mortimer of Cragyvar. Maister Duncane Forbes of Monymusk. Robert Turing of Foverne. Patrik Chene of Essilmont. Williame Forbes of Tolquhone. Johne Leslie of Balquhane. Williame Leslie of Warderis. Johne Leslie of that Ilk. Alexander Leslie of Petcapill. Patrik Leyth of Harthill. Williame Auchinlek of Schethin. Johnne Forbes of Brux. Johne Calder of Aslowne. Johne Ross of Auchlossin. Williame Dugude of Auchinhuif. Gilbert Orme of Carndawy. Robert Couttis of Auchtertoull. Johnne Gordoun of Kennarty. Johne Lumisden of Cushny.[1]

[Aberdeen, 3d September.] Anent electing of officiaris within burrowis.

Forsamekle as in the first yeir of the regnne of the Kingis Majestie oure Soverane Lord that now is, it is statute and ordanit be Act of Parliament that na maner of persoun or personis sould be ressavit in ony tyme thairefter to beir publict office removable of judgement within this realme, bot sic as professis the puritie of religioun and doctrine now presentlie establishit, and that nane sould be permittit to procure nor admittar notar, nor be creat ane member of Court without he likewyise the evangell and religioun foirsaid, as in the said, Act at mair lenth is contenit. Quhilk in sindrie partis hes not takin full effect, the persounis electit and promovit to the saidis publict offices not being chargeit the tyme of thair acceptatioun to gif the professioun of thair religioun, nor to avow our Soverane Lordis obedience; quhairthrow diverse sic officiaris not weill affectit to his Hienes service, hes not only, during the lait troublis, maid defectioun thairfra in thair awin persounis, bot drawin the inhabitantis of burrowis and utheris his Hienes liegis, in diverse inconvenientis and dangearis, alsweill be retening thame throw exemple of thair Magistrattis in errouris and licentious and sklanderous leving, to the offence of God and his trew religioun, as in leding thame fra thair obedience dew to our Soverane Lord and his authoritie. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis letters to be direct, to command and charge the Provest, Baillies, Counsallis and utheris personis quhatsumever having vote in the electioun of Magistrattis within burrowis, that nane of thame tak upoun hand to elect or admitt ony persoun or personis to the offices of the Provestrie, Baillierie, Thesaurarie, Denerie of Gild, Commoun Clerkschip, or to be of the Counsale in ony of the burrowis of this realme, at the Feist of Michaelmes nix to cum, nor in tyme cuming, bot sic personis as ar knawin zealous professouris of the trew and Christiane religioun now publictlie precheit and be law establissit within this realme, and that has bene and is knawin to be ernist and affectionat weilwillaris to the avancement and furthsetting of our Soverane Lordis authoritie and service; and that the personis swa electit to ony of the saidis publict offices befoir thair admissioun thairto, solempnitlie and publictlie gif thair aythis in presens of the commonitie ower quhome thay ar chosin to be

[1] Ane Band heir omittit salbe gottin in fol. xlii eftir this markit with this mark ▱.

magistrattis and officiaris for that yeir, in forme following :—I, N., now electit Provest (or Baillie) of the burgh of, etc., testifiis and declaris in my conscience befoir God and you heir convenit, that I avow and profes with my hart the trew religioun of Jesus Chryst, as the same is now publictlie precheit and be law ressavit and establissit within this realme ; renunceand all ydolatre, superstitioun and papisticall errouris quhatsumevir ; acknawlegeing and avowing alsua the rycht excellent, rycht heich and michtie Prince James the Sext, be the grace of God King of Scottis, for my onelie Soverane ; promissing that frome this furth,—specialie during the tyme of my continewance in this my office quhairunto I am now electit,—to perseveir in the professioun of the same trew religioun and procuring of all thingis godlie and ressonabill tending to the avancement thairof ; as alsua in punissing according to the lawis sa far as to me appertenis the wickit and ungodlie personis contempning the same religioun ; and in lyke maner to keip fayth and trew allegeance to our said Soverane Lord, quhais authoritie and service I sall assist and defend to the uttirmest of my lyff with my body, landis, guidis, counsale and haill power aganis the innemeis of God and of his Majestie, being owther strangearis or his Hienes unnaturall and dissobedient subjectis quhatsumevir : sa help me God.

Obligatioun for bigging of the Hospitall of Abirdene.

Be it kend till all men be thir present letters, We, the Provest, Baillies, Counsale and communitie of the burgh of Abirdene ; that forsamekill as oure Soverane Lord, with avise and consent of his rycht traist cousing, James Erll of Mortoun Lord of Dalkeyth Regent to his Hienes, his realme and liegis,—considering our procedingis in the resetting, assisting, contributioun and stent making with George Erll of Huntlie, Adam Gordoun of Auchindoun his broder, thair complices, tenentis, servandis, dependentis and partakaris during the tyme of the lait rebellioun and conspiracy aganis his Hienes and his authoritie, being of mynd for publict quietnes caus, to reduce all his Hienes subjectis to his full obedience respecting oure humble offeris faythfullie to continew in our dewitifull obedience, loyaltie and trew service to his Hienes and his authoritie in tyme cuming, as oure band and obligatioun to that effect deliverit to my Lord Regentis Grace beris ; and for certane compositioun hes dischargeit us for evir all actioun and cryme that may ony wayis be imput to us for the caussis and crymes abonewrittin, as in the discharge thairupoun at mair lenth is expressit ; of quhilk compositioun my Lord Regentis Grace of his mere favour and clemency, and in respect of oure trew service to be maid in tyme cuming, hes frelie dischargeit to us the sowme of ane thowsand markis, and als hes grantit ane uther thowsand markis of our said compositioun to the bigging and reparatioun of ane Hospitall within our said burgh for the harbring and ressett of the puyr and impotent personis of the same ;—thairfoir to be bundin and obleist, and be the tennour heirof faythfullie bindis and obleissis us and oure successouris, to bestow and employ the said sowme of ane thowsand markis money foirsaid upoun the bigging and reparatioun of the said Hospitall within our said burgh,

within the space of fyve yeris eftir the dait heirof; quhilk we sall demonstrat and mak cleirlie knawin be true compt to oure Soverane Lord and his Regent at the end of the saidis fyve yeiris, but farder delay, fraude or gyle; and heirto we bind and obleissis us, as said is, in the stratest forme and sickir style of obligatioun that can be divisit or maid,—na remeid nor exceptioun of law to be proponit or allegeit in the contrair, renunceand the same for us and oure successouris for evir; and ar content and consentis that this obligatioun be actit and registrat in the bukis of Previe Counsale, to have the strenth of ane Act and decreit of the Lordis thairof, and that letters and executoriallis be direct thairupoun in forme as efferis: In witnes of the quhilk thing we have causit our commoun clerk be our commoun vote and consent subscrive this our band and obligatioun at the said burgh of Abirdene, the thrid day of September the yeir of God j^{m}v^{c}lxxiiii yeris, and alsua our commoun seill is affixt to the same. Sic subscribitur. Ita est Magister Joannes Kennedy notarius publicus ac scriba burgi de Abirdene de mandato Prepositi Ballivorum Consulum ac Communitatis dicti burgi teste manu propria subscripsit.

The quhilk day Alexander Irwing of Drum became actit and obleist to entir Alexander Cuming of Cowtir, now being in his custody, to my Lord Regentis Grace quhen the said Alexander beis requirit thairto, upoun xv dayis warning, without the said Alexander Cuming be takin frome him be greittar force nor he is abill to resist, or departis frome the said Alexander Irwing of his awin gude will. And that alsua the said Alexander Cuming sall, during his remaning in the said Laird of Drummis cumpany, remane fre and unmariit, be his procurement, consent, or occasioun without consent of my Lordis Grace, and the said Alexander Cumingis awin curatouris had thairto, under the pane of fyve thowsand markis. Sic subscribitur: Alexander Irwing of Drum. [Aberdeen, 4th September.]

Sederunt—Regens. Adam Episcopus Orchadensis. Clericus Registri. Clericus Justiciarie. [Holyrood House, 10th September.]

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, it wes exponit and declarit be Maister James Makgill of Rankelour Nethir, clerk of oure Soverane Lordis Register, that he, according to the letter sent to him be my Lord Regentis Grace frome Abirdene, had tane tryell be the examinatioun of certane famous witnessis anent the teind schaves of the cornis within oure Soverane Lordis Park of Linlythquow, set be Capitane Andro Lamby to diverse personis for this present crop and yeir of God j^{m}v^{c}lxxiiii yeris, acclamit be Hary Drummond of Ricartoun to appertene to him as takkisman of the teindis of the akeris about the burgh of Linlythquow. Quhilkis depositionis, togidder with the ressonis and allegationis of the said Hary and Capitane Andro Lamby, bayth personalie present, being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryiplie avisit thairwith, my Lord Regentis Park of Linlythquow.

Grace and Secreit Counsale findis that the said Park nor na utheris of our Soverane Lordis parkis ar or hes bene in use of payment of ony teindis for the cornis or gudis growand or being thairin; and thairfore ordanis the said Capitane Andro Lamby to intromet, use and dispone the haill cornis within the said Park of Linlythquow this present yeir and in tyme cuming, unsuffering ony part thairof to be intromettit with be the said Hary or utheris pretendand rycht or interes thairto as teynd, dischargeing thame thairof in tyme cuming,

[Dalkeith, 20th September.]

Sederunt—Regens. Willelmus Dominus Ruthven. Adam Episcopus Orchadensis. Clericus Registri. Clericus Justiciarie.

Duchemennis Decreit.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit personalie Johnne Martinesone indwellar of the toun of Horne in the Erledome of Holland, procuratour specialie constitute be Roger Hudde and Joachim Ladimaker, as factouris to Joachim Wittinok and Jerrard Hudden, counsalouris of the citie of Re, be thair letters of procuratorie under the seill of the said toun of Horne; and likewyis comperit Adrian Damassone indwellar of the toun of Dort in the partis of Holland, procuratour for Sybert Johnnesoun, Henrik Johnnesoun, Adrian Corneliussone, Oger Philipsone, Arnald Adriansone, Symon Corneliussone, and Adrian Messins indwellaris of the said toun of Dort, be thair letters of procuratioun under the seill of the same toun, specialie constitute; and schew and presentit to his Grace and Lordis foirsaidis ane Act of the Secreit Counsale of this realme, of the dait the xxvii day of Junii last bipast, bearing that forsamekill as a schip of the toun of Tweisk, besyde Meneblik in North Holland, in the charge and governing of Herman Johnnesoun, and ane uther schip callit the Forlorne Sone, quhairof the ane half pertenis to Here Godscale Tymmerman, ane of the Counsall of Danskin, and the uther half to the skippar himself, namyt Lucas Yelesoun of the toun of Emden, wer in thair dew cours rancounterit and takin be a schip of weare of the realme of England, quhairof wes Capitane Robert Isteid of the toun of Hastingis in the county of Sussex, and brocht to the burgh and port of Montroise in this realme, quhair thay wer followed be the said Herman Johnnesoun maister of the said schip of Tweisk, and be Cornelius Johnnesoun indwellar of Dordrecht in Holland marchand of the said schip callit the Forlorne sone, and apprehendit upoun the xv day of Junii last bipast. And in consideratioun that the saidis schippis, cornis and gudis being thairin, wer confessit be the said Robert Isteid, to have bene takin fra the self same personis that now clamit the saidis schippis and gudis; the Lordis of Secreit Counsale present for the tyme, willing to do justice and schaw all ressonabill favour to the saidis personis spuilyeit, and clamand the saidis schippis and gudis, the same being in poynt of tinsell, and the gudis being sic as be keping could not be observit; thairfore ordanit the saidis Herman Johnnesoun and Cornelius Johnnesoun to pas to thair saidis schippis and gudis, and thair

be advise of Richard Lichtoun and Richard Andersoun Baillies of the burgh of Montroise, or ayther of thame, to sell, mak marcat and estimat the just avale of the same schippis and gudis; and that the saidis baillies or ayther of thame that sould be present be the selling, valuatioun and estimatioun of the saidis schippis and gudis, report quhat the same extendis to to the Regentis Grace and Counsale with all convenient diligence; and that the money that salbe ressavit thairfoir sould be ressavit and remane as consignit in the handis of Johnne Harrat burges of Edinburgh, or sic as he sall appoint to the ressait thairof,—for the quhilk the said Johnne Harrat, being personalie present, of his awin consent obleist him to answer; and that ay and quhill the saidis Herman Johnnesoun and Cornelius Johnnesoun report sufficient testimoniall and certificat of the townis of Dordrecht, Horn, Encusen or Emdem respective, that the saidis schippis and gudis justlie pertenis to thame and thair pertinaris, freindis and confiderattis of this realme, and that the said Johnne Harrat have sufficient warrand and commandiment of oure Soverane Lord his Regent and authoritie to deliver the same to thame, as the said Act at mair lenth proportis. And thairwithall the said Johnne Martinesone producit ane testificatioun of the said toun of Horne, verifeand the premissis to be of veritie for the part of the said schip and gudis, quhairof wes maister the said Herman Johnnesoun, contenand thairin a obligatioun of the said toun of Horn, to warrand and keip skaythles oure Soverane Lord his realme and liegis of the schip and gudis specifiit in the same, of the quhilk testificatioun and obligatioun the tennour followis:[1] Quhilkis actis of Secreit Counsale, testificationis and obligationis befoir writtin being red, sene and considerit be my Lord Regentis Grace and Prevy Counsale foirsaidis, and thairwith thay being ryplie avisit,—albeit be the law a large part of the saidis schippis ar understand justlie to pertene to his Grace as Admirall of this realme be vertew of his office, in sa far as the pyrattis takaris thairof wer execute to the deid be the law; nevirtheles his Grace peteing the caise of the saidis strangearis friendis of this realme, and desyrous to schaw all favour, confort and gude nychtbourheid, decernis, ordanis, and commandis the said Johnne Harratt and all utheris intromettouris with the saidis schippis and gudis or pryces thairof, to deliver the samyn to the saidis Johnne Martinesoun and Adrian Damassoun procuratouris foirsaidis, ilkane for thair awin part respective, takand thair acquittances and dischargeis thairupoun with thair poweris registrat in the bukis of Admiralitie, quhilkis salbe sufficient warrand and discharge to the said Johnne Harrat and utheris quuatsumevir intromettouris thairwith in all tyme cuming; and that letters be direct heirupoun gif neid be etc.

Obligatioun of the Inglismen of Birsto.

Forsamekill as Leonard Sumptar and Roger Freman Englisheman of the citie of Birsto, cuming furth of ane Englishe schip than lyand in Lochryan to the toun of Air, wer thair apprehendit utterand certane fals and countirfaitit money of this realme, for quhilk, albeit be the law present execu-

[1] Narrative repeated in Latin, narrating the circumstances already mentioned.

tioun be ordour of justice mycht have bene usit aganis thame, yit at the requeist of Maister Henry Killegrew Esquire, Ambassadour for the Quenis Majestie of England, than resident in this realme, the mater wes supersedit quhill tryell mycht be takin upoun thair report how the said countirfait money come to thair handes; quhairanent, althoch a certane testificatioun is returnit frome the said citie of Birsto, and that the same is not thocht sufficient for thair discharge and libertie as geving na uther debtour bot ane deid man, and sic a ane as is allegeit to have gottin the same fals and countirfait money in pyracie furth of ane Scottis schip, the maister nor awnar thairof not being expressit. All quhilkis, notwithstanding my Lord Regentis Grace, for the publict peace and amyteis caus, is rather content to owerpas the mater nor curiouslie and exactlie to seik the further tryell of it upoun the saidis personis be ordour of law; and thairfoir, as alsua in respect of certane minassingis and outragious threatningis usit and gevin be thair partinaris in the said schip, indwellaris of the said citie of Birsto, to the toun of Air and inhabitantis thairof, quhair the saidis Leonard and Roger wer apprehendit,—pretending to be revengit thairof as a fact or injury aganis law and justice, quhairas thay wer lauchfullie and upoun gude ressoun stayed and arreistit,—the saidis Leonard and Roger ar becum actit and obleist, and be the tennour heirof bindis and obleissis thame conjunctlie and severalie, under the pane of twa hundrith pundis sterling, that thay sall returne to the said Lord Regent betuix the dait heirof and the first day of December nix to cum, the band and obligatioun of the said citie of Birsto, promissing and obleissing the same citie, that the inhabitantis of the said toun of Air, nor na utheris, oure Soverane Lordis subjectis sall, for the caus or occasioun of the stay of the saidis Leonard and Roger, be invadit, troublit, arreistit or drawin in proces of law be ony of the Quenis Majestie of Inglandis subjectis; and gif ony of our Soverane Lordis subjectis sustenis harme or injurie thairthrow, that the same salbe redressit and amendit as of justice and equitie is dew; and in caise of default of returning and presenting of the said band and obligatioun to the said Lord Regent betuix and the said day, that the saidis Leonard and Roger sall re-entir thair awin personis befoir the said Lord Regentis Grace, and remane quhill lauchfull entre be takin of thame; and gif thay failye thairin, ar content to be compellit to pay the said sowme of twa hundrith pund sterling quhairevir thay salbe apprehendit within this realme or without. In respect of quhilk band and obligatioun my Lord Regentis Grace hes gantit and gevin,—and be the tennour hairof grantis and gevis—licence and libertie to the saidis Leonard and Roger, to depart hame to the realme of Ingland or utherwayis at thair pleasour, dischargeing all bandis, promeissis and obligationis of the said Maister Henry Killegrew Ambassadour, or utheris quhatsumevir, for thair remaning within this realme in tyme bigane preceding the dait heirof. Sic subscribitur per me Leonard Sumptar, by me Roger Freman.

Salt dischargit to be transportit.

Forsamekill as my Lord Regentis Grace and the thre Estaittis of the realme, considering the exhorbitant derth of small salt within this realme throw the

careing of the same furth of this cuntre in greit quantitie, statute and ordanit be Act of Parliament, that na salt sould be convoyit or careit furth of the realme in tyme cuming under certane panis, contenit in the Act maid thairupoun,—quhilk sensyne upoun certane offeris hes bene dispensit with and licencis grantit to transport salt on conditioun that the cuntre sould be sufficientlie answerit upoun the pryces contenit in the Actis of Parliament; bot as experience now techeis the granting of the saidis licencis and dispensatioun, hes bene verie prejudiciall to the commoun weill of the Realme, and the conditionis of the furnissing and serving of the cuntre upoun the pryces contenit in the Actis of Parliament hes na wayis bene observit, bot oure Soverane Lordis liegis hes bene constranit to by salt upoun exhorbitant and unressonabill pryces, liklie from day to day to raise greittar extorsioun gif tymous remeid be not providit. Thairfore my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale hes dischargeit, and be the tennour heirof dischargeis the saidis licencis and dispensationis grantit for transporting of the said salt furth of the realme in tyme cuming; and ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of the burrowis and townis of Edinburgh, Schoir and Peir of Leyth, Salt Prestoun, Barrowstownnes, Culross, Kirkcaldy, Dysert, Wemys and Pettinweme, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie, mak publicatioun and intimatioun of the discharge abonewrittin. And als to command and charge all and sindry his Hienes liegis that nane of thame tak upoun hand, eftir the said proclamatioun, to transport or cary furth of this realme ony maner of salt, under the panis contenit in the said Act of Parliament; certifeing thame and thay failye, the saidis panis salbe execute upoun the contravenaris with all rigour in exempill of utheris; and als to command and charge all and sindry oure Soverane Lordis Customaris and Clerkis of Cokquet, that nane of thame tak upoun hand to custum or grant cokquettis upoun ony salt heirefter, under the pane of tinsell of thair offices.

Anent oure Soverane Lordis letters rasit at the instance of the Provest, Baillies, Counsale, Deaconis of Craftis and Communitie of the Burgh of Perth, makand mentioun;—that quhair the said burgh is foundit and dotat with sindry giftis and privilegis be oure Soverane Lordis maist nobill progenitouris of gude memory, as the evidentis thairupoun under the Greit Seill proportis; and amangis utheris thingis, thay ar dotat with the watter of Tay fra Drumla to the burgh of Perth to pertene to thair libertie and fredome. Quhairupoun thay have actioun dependand befoir the Lordis of Sessioun, quhilk restis and lyis ower thir sindry yeris past undecydit, throw the iniquitie of the tyme and troublis intervening within this realme. And now of lait the Counsale of Dunde, hoping that the saidis complenaris will desist and leif of thair persute of thair rycht and privilege in the said watter, and intending indirectlie to intruse thame selffis thairin, hes inventit and rasit ane new and extraordinar taxatioun and contributioun [Dalkeith, 28th September.] Perth. Dunde

upoun the saidis complenaris, for allegeit bigging and reparatioun of the Schoir of Dunde, and hes causit arreist thair gudis in the oppin schoir in dangeare of spilling and tinsell, not permitting the same to be schippit nor sellarit without thay pay the said taxt and impositioun by auld use and wount, allegeand thame to have our Soverane Lordis gift and confirmatioun thairon for thre yeris. Howbeit the said schoir and havin is now in als gude state as it hes bene in effect heirtofoir past memor of man; and in ony thing neidfull a sobir thing wald reforme it, quhairunto sic a greit and havy ane impositioun as thay pretend to exact of the saidis complenaris is not neidfull, viz., xii ß. for ilk tun of thair gudis ilk vayage, not having regaird heirwithall to the decay of thair brig of Tay, being a thing accidentlie happynnit at Goddis pleasour, throw greit innundatioun of watter —and the lyke not happynning sen the first bigging thairof—quhilk can not be repairit and remedyt without sum greit and extraordinar provisioun; and gif ony towst sould be takin of thair gudis, it wer mair convenient and equitabill to be employit on thair awin werk of the said brig, being a thing sa necessar not onelie for thair toun, bot for the haill cuntre, nor on the schoir of Dunde, that nowther cravis sa large nor sa present support. And anent the charge gevin to Maister James Haliburtoun Provest, Alexander Wannand, Richert Blyith, Robert Kid, and James Finlaysoun, Baillies of the said burgh of Dunde, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to heir and se thame dischargeit of all rasing and uplifting of the said towist and impositioun in tyme cuming, notwithstanding the gift or confirmatioun foirsaid under the Prevy Seill grantit to thame thairupoun, declarand the samyn and effect thairof, in sa far as it may be extendit or interpretit aganis the saidis complenaris, to ceise and have na forder effect in tyme cuming, for the caussis foirsaidis; or ellis to schaw ane ressonabill causs quhy the samyn sould not be done; with certificatioun to thame and thay failyeit, thay sould be dischargeit in maner abonewrittin, lyke as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. Quhilkis being callit, Williame Lord Ruthven Provest, and Oliver Peblis ane of the Baillies of the said burgh of Perth, comperand personalie for thame selffis and in name and behalf of the remanent Baillies, Counsale, Deaconis of Craftis, and Communitie thairof; the saidis Maister James Haliburtoun Provest, Richard Blyth, James Lovell, Alexander Scrymgeour, and William Forester Baillies of the said burgh of Dunde, being alsua personalie present. The ressonis and allegationis of bayth the saidis partiis being hard and considerit. My Lord Regentis Grace, understanding the mater to be greit and wechtie, and he to be solitair, the nobill men and utheris of oure Soverane Lordis Previe Counsale, being for the maist part absent, thairfoir hes continewit and continewis the same in the lyke forme, force and effect as it is now, but prejudice of partie, unto the xxviii day of November nix to cum; and in the menetyme hes dischargeit and dischargeis the saidis Provest and Baillies of Dunde, of all exacting or uplifting of the said towist and impositioun upoun the saidis complenaris unto

the said day, takand onelie inventure of thair gudis and geir, becaus cautioun is ellis fundin that the samyn salbe answerabill, as my Lord Regentis Grace and Counsale sall decerne; bayth the saidis partiis warnit to the said day apud acta.

[Michael Balfour younger of Monquhany, David Kynneir fiar of that Ilk, and Alexander Bruce fiar of Erlishall, sureties that Alexander Dunbar of Cumnok knycht, Sheriff of Moray, shall remain within the bounds of Fyfe until freed, under the penalty of £5000. [Edinburgh, 29th September.]

Patrick Lord Lindsay of the Byres surety that Alexander Ross of Balnagowne, now in ward in the Castle of Thomptalloun, on being freed, shall remain in free ward in Edinburgh and Leith until 11th November next, under penalty of ten thousand pounds; George Ross, son and heir of Alexander, undertakes to relieve Lord Lindsay. [Dalkeith, 6th October.]

William Lord Ruthven, treasurer, and William Lord Hay of Yester, oblige themselves that Alexander, sometime Lord Hume, shall remain in ward in Edinburgh Castle until relieved; and while there shall not attempt aught against the King, the Regent, the said Castle, or the Captain and Keepers thereof, under pain of £20,000.] [Edinburgh, 23d July.]

Sederunt—Jacobus Dominus Regens. Robertus Dominus Boyd. Marcus Commendatarius de Newbottill. Clericus Justiciarie. [Dalkeith, 13th October.]

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Maister Johnne Dischingtoun procuratour for Lord Robert Stewart, Feuar of Orknay and Zeitland, and producit ane copy of our Soverane Lordis letters, quhairwith he allegeit the said Lord Robert wes chargeit upoun the xx day of September last bipast to entir and reposses Patrik Bellenden of Stanehous in all and sindry fourty twa penny land of Sanct Duthois Stouk, with the teindis thairof and thair pertinentis, with the Bow of Stanehous, Andirswik, Dowirset, Culsten, Homstir, and Cormisted, with the teindis thairof and Bow of Birstane lyand within the Sherefdome of Orknay, togidder with thre scoir and fyftene penny land of the barony of Ewie, and twenty four penny land of the samyn barony, and twa penny land in Clowsten, twa penny land in Germestoun, with the haill teind schaves and utheris small teindis of the parrochyn of Stanehous and Ewie, the Bow of Gorme, twa penny land in Cummisgar, twa penny land in Hulkisgar, the parsonage of Hoy and vicarage of Wallis, the landis of How in Kerstane, the Bow of Housbie in Stronsay, with Discheis and Anresta, with the pertinentis, and to the Bow of Husby in Zeitland, and to devoid and red the same landis, rowmes and possessionis of quhatsumevir persoun or personis placeit and set doun thairintill sen the said Patrikis departing and removing fra the same, and suffir the said Patrik and his servandis, and utheris in his name, peciablie entir thairto Lord Robert [Stewart]. Patrik Bellenden.

and posses the same without molestatioun, stop, or impediment in the contrair, within xv dayis nixt eftir the said charge, under the pane of rebellioun and putting of the said Lord Robert to the horne; or ellis that he upoun this day, viz. the xxiiii day nixt eftir the said charge, compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, and schaw ane ressonabill caus quhy he sould not do the same; with certificatioun to him and he failyeit, my said Lord Regentis Grace and Counsale wald direct letters in maner and to the effect abonewrittin, lyke as at mair lenth is contenit in the copy foirsaid of the saidis letters; quhairunto the said Maister Johnne procuratour abonewrittin being reddy to answer and to schaw ane ressonabill caus quhy the said Patrik sould nocht be repossest to the landis, rowmes, and utheris abonewrittin; and in respect that nane comperit to persew, the said Patrik being oftymes callit to that effect, the said Maister Johnne protestit that the said Lord Robert sould not be haldin to answer to the saidis letters, nor na forder procedit aganis him be vertew thairof quhill he wer newlie warnit; quhilk protestatioun my Lord Regentis Grace, with avise of the saidis Lordis, admittit.

Anent transporting of gold and silver furth of the realme.

Forsamekill as diverse gude and lovabill Actis of Parliament hes heirtofoir bene maid be our Soverane Lordis maist nobill progenitouris, forbidding the careing and having of gold and silver furth of this realme, quhilkis be a certane space bigane hes tane na effect, bot hes bene planelie contravenit, partlie be misknawlege of the saidis Actis and partlie becaus the offendouris hes not bene punist; thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croce of Edinburgh, Peir and Schoir of Leyth, and all uther marcat croces and places neidfull within this realme; and thair be oppin proclamatioun in oure Soverane Lordis name and authoritie, mak publicatioun and intimatioun of the saidis Actis of Parliament, that nane pretend ignorance of the same; and to command and charge thame that nane of thame pretend or tak upoun hand to tak away or cary furth of this realme ony gold or silver in ony tyme heireftir quhill the nixt Parliament, under the pane of escheting of the samyn and of all the remanent of thair movabill gudis that dois in the contrair; certifeing all and quhatsumevir personis, that will cum reveill and schaw of the carearis and awaytakaris of the said gold and silver, and gif thair names, the reveillaris sal haif the ferd part of the said gold and silver and remanent of thair movabill gudis, the same being tryit be thair reveling; and in caise the revelar be partinar of the awaytaking and careing out of the realme of the said gold and silver, in that caise he salbe fre of all panis, dangearis and perrellis that he may incur be the said Act, and sal haif for his reward as is befoir specifiit, lyke as he had bene na partinar thairof; and that this present proclamatioun haif the full force and effect unto the nixt Parliament; providing that all marchandis and utheris passing furth of this realme according to the lawis of the samyn, may have samekill gold and silver allanerlie as may be thair

necessar expenssis, quhill thay cum to the partis beyond sey quhair thay have thair necessar busines ado; and further to command and charge all custumaris and sercheouris to note quhat schippis departis laidynnit and empty, and likewyis with quhat kynd of gudis or marchandice thay returne chargeit to this realme, as thay will answer upoun thair diligence at thair uttermest charge and perrell.

[License to Robert Patersoun, master of the "Grace of God," to export to Norroway six chalders of small salt for "making of fische," and William Ker, master of the "Swallow," four chalders of salt. William Wod and Thomas Broun, burgesses of Edinburgh, sureties that the salt shall be converted to no other use, and that they shall import into Scotland the fish gotten, weather permitting; if by contrary winds they shall be driven to other parts, and thus compelled to sell the fish, they shall still pay the customs on arrival in this country.] [Edinburgh, 21st October.]

Sederunt—Robertus Dominus Boyd. Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus. [Edinburgh, 23d October.]

Anent oure Soverane Lordis letters rasit at the instance of Williame Hay of Windane, Johnne Fell, Henry Hardy, and the remanent tenentis and parrochynaris of the lordschip of Duncanlaw, lyand within the barony of Yeistir and constabularie of Hadingtoun, makand mentioun;—that quhair Williame Lord Yeistir, clamand rycht to thair teind schaves as takkisman thairof, hes maid inhibitioun that the saidis complenaris intromet not thairwith without licence and tollerance of him, and chargeing thame to answer and obey to him thairof, under certane panis specifiit in the letters direct thairupoun. And in lyke maner, Williame Carncroce, sone and air of umquhile Robert Carncroce of Colmislie, pretendand him to have rycht to the saidis teind schaves—be quhat rycht the saidis complenaris knawis not—hes alsua put lyke inhibitioun to thame, be quhilkis thay ar debarrit fra leding of thair cornis, albeit thay ar willing to teind and obey ony of thame havand just rycht, gif thay knew the samyn, quhairthrow the saidis complenaris cornis for falt of teinding are haldin still upoun the ground, to the apperand tinsell of the haill; and als ayther of the saidis partiis intendis to mak convocatioun and gaddering, that thay havand maist power may leid the saidis teindis,—quhairupoun cummeris may arryise, without remeid be providit. And anent the charge gevin to the saidis Williame Lord Yeistir and Williame Carncroce of Colmislie, and Nicholl Carncroce his curatour, for his interes, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to answer to the complaint abovewrittin, and to heir and se ordour takin thairanent as appertenit, lyke as at mair lenth is contenit in the saidis letters, executionis and indorsationis thairof. Quhilkis being callit, the said Williame Hay comperand personalie for himself and in name of the remanent tenentis abone- Tenentis of Duncanlaw. Lord Yeistir. William Carnecroce.

writtin, the said Williame Lord Yeister being alsua personalie present with Maister David Makgill his prelocutor, and the said Nicholl Carnecroce comperand siclyke personalie; the ressonis and allegationis of all the saidis partiis being hard and considerit; the Lordis of Secreit Counsale ordanis Johnne Cokburne of Kirkland, Sheref-depute of Edinburgh within the constabularie of Hadingtoun, to pas to the ground of the saidis landis upoun Twysday nix to cum, the xxvi day of October instant, be nyne houris afore none, and thair to teind the saidis cornis in presens of ane freind or servand, to be send be ayther of the saidis partiis to se the same teinding, and thaireftir to place and stak the same within the corne yaird of Cristell Irwing of Barro, as place indiffirent, upoun the expenssis of the self same teindis; thair to remane arreistit and unintromettit with be ayther of the saidis partiis, ay and quhill it be decydit be ordour of law to quhome the samyn appertenis; without prejudice of ayther of thair rychttis quhilkis thay haif or may pretend thairto, to be persewit be thame as accordis of the law.

Gilbert Young. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Capitane Gilbert Young, servitour to the Kingis Majestie of Denmark, makand mentioun;—that quhair Maister Thomas Buchannane, being commissionar or ambassadour for the Kingis Majestie in Denmark, in the moneth of Maii, the yeir of God $j^{m}v^{c}lxxi$ yeris, having borrowit fra the said Capitane Gilbert the sowme of thre scoir fyve dolouris, deliverit his obligatioun for payment thairof at the Lambmes thaireftir following, as the same obligatioun beris; of the quhilk sowme thankfullie lent be him to the said Maister Thomas he loukit for payment, according to promeis; nevirtheles, he hes bene continewalie frustrat, and at lenth is constrenit to cum in this cuntre, having had gude wordis and promeise of payment fra day to day, quhill now that he is in reddines to depart that he findis na answer bot biddis him persew be the law; quhilk unthankfull dealing is not onelie skaythfull to him, bot sall hinder uther honest men to be furneist, being in forayne cuntreis in the Kingis Majesteis service, in tyme cuming. And anent the charge gevin to the said Maister Thomas to compeir befoir the Lordis of Secreit Counsale at ane certane day bigane, to answer to the said complaint, as the samyn, with the executionis thairof, at mair lenth beris; quhilkis being callit, bayth the saidis partiis comperand personalie, thair ressonis and allegationis, togidder with the said obligatioun maid be the said Maister Thomas upoun the said sowme, being hard, sene, and considerit be the saidis Lordis, and thairwith thay being ryplie avisit. The Lordis of Secreit Counsale decernis and ordanis the said Maister Thomas to mak payment to the said Capitane Gilbert of the foirsaid sowme of thre scoir fyve dolouris, conforme to the said obligatioun, becaus James Young, cuttillair and burges of Edinburgh, is becum cautioner and souirtie that in caise the said Capitane Gilbert be alreddy payit of the said sowme be Capitane Clerk, or ony in his name, conforme to ane obligatioun maid be Gilbert

Mr. Thomas Buchannane.

Meldrum his servand, to the said Capitane Gilbert, that in that caise he sall refound the samyn sowme agane to the said Maister Thomas, with the dowbill thairof, and that letters be direct heirupoun gif neid be in forme as efferis.

Sederunt—Joannes Dominus Glammis Cancellarius. Joannes Comes de Montroise. Robertus Dominus Boyd. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus. [Edinburgh, 27th October.]

Baillies of Abirdene.

The quhilk day, in presens of the Lordis of Secreit Counsale, comperit Johnne Lowsoun burges of Abirdene, and producit ane copy of oure Soverane Lordis letters direct, makand mentioun.—Forsamekill as my Lord Regentis Grace wes crediblie informit that the Provest, Baillies and Counsale of the Burgh of Abirdene, hes nominat certane personis burgessis of the said burgh, Stentaris, be quhome thay have causit taxt and stent the inhabitantis thairof for the compositioun of the remissioun or discharge grantit to the same for thair assistance gevin to the lait rebellioun and conspiracy aganis oure Soverane Lord and his authoritie; and in making and lifting of the said compositioun hes usit greit partialitie, laying the greittast burding of the charge on the puyr and utheris that leist offendit, expres aganis the meaning of my Lord Regentis Grace and Counsale, and contrair all gude discretioun and equitie; chargeing heirfoir the Provest and Baillies of Abirdene and the Stentaris nominat for setting and making of the said taxatioun, to send and present thair stent roll maid thaiupoun be ane or ma of thair Stentaris befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to be sene and considerit, and to answer to sic thingis as sould be inquirit of thame in that behalf, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, thay sould be denunceit rebellis and put to the horne, lyke as at mair lenth is contenit in the copy foirsaid of the saidis letters, conforme to the quhilk the said Johnne Lowsoun, ane of the saidis Stentaris, presentit the said roll maid thairupoun; quhilk being sene and considerit be the Lordis of Secreit Counsale and thay ryplie avisit thairwith, the saidis Lordis ordanis the letters direct for uptaking of the same of befoir to be put to forder executioun, conforme to the tennour thairof, without prejudice to ony of the saidis personis stentit finding thame selffis grevit in particular, to complene thairupoun and sute remeid as accordis.

[Edinburgh, 30th October.]

[Stewartis] Obligatioun.

The quhilk day, in presens of the Lordis of Secreit Counsale, comperit Maister Johnne Scharp procuratour specialie constitute for Lord Robert Stewart Fewar of Orknay and Zeitland, and gaif in this obligatioun underwrittin, subscrivit with the hand of the said Lord Robert, and desyrit the same to be actit and registrat in the bukis of Secreit Counsale, to have the force and strenth of ane act and decreit of the Lordis thairof in tyme cuming, and letters and executoriallis to be direct thairupoun in forme as efferis. Lord Robert

Quhilk desire the saidis Lordis finding ressonabill, hes ordanit the same to be insert in the saidis bukis to the effect foirsaid, of the quhilk the tennour followis: Be it kend till all men be thir present letters, me, Lord Robert Stewart Fewar of Orknay and Zeitland, that forsamekill as at my humble desire and requeist oure Soverane Lord, with avise and consent of James Erll of Mortoun Lord of Dalkeith, Regent to his Hienes, his realme and liegis, hes be his letters under the Greit Seill ratifiit, apprevit and confermit the gift of the pensioun of the thrid of the victuall and money of the Abbay of Halyruidhous, gevin and maid be his Hienes dearest moder to Henry, Jehane, Marie, Robert and James Stewartis my bairnis lauchfull and naturall respective, and ratifiit be hir Grace and thre Estaittis in Parliament, as in the said ratificatioun of oure Soverane Lord at mair lenth is contenit. And becaus in the same ratificatioun, it is expreslie providit that the ministeris and reidaris serving, or that heireftir sall serve, at the kirkis of the said Abbay, sall yeirlie uplift the sowme of aucht hundrith thre scoir pundis of the reddiest of the said thrid for thair stipendis, assignit to thame according to the generall ordour laitlie takin, anent the sustentatioun of the Ministeris and Reidaris; and I being of gude mynd that the said provisioun, according to the said generall ordour, salbe kepit be my saidis bairnis in all tymes heireftir; thairfoir for myself, and acceptand the burding upoun me for my saidis bairnis, I bind and obleis me, my airis and assignayis, to oure Soverane Lord and his Majesteis Regent foirsaid, that I nor thay sall nevir cum in the contrair of the said provisioun, bot that we sall observe, keip and fulfill the samyn; and als that I, my airis and assignayis, sall caus my saidis bairnis, lauchfull and naturall, ratifie and affirme the said provisioun, and all restrictionis contenit in our said Soverane Lordis ratificatioun at thair perfyte aige; and that thay sall nevir revoke nor annull the same upoun pretext of thair minoritie, or be quhatsumevir cullour, for quhatsumevir caus. And forder, I sall in my awin persoun, or be my procuratouris lauchfullie constitute,—lyke as I sall caus my saidis bairnis, naturall and lauchfull, compeir be thair procuratouris, tutouris or curatouris lauchfullie constitute or to be constitute,—compeir in presens of the Lordis of Counsale, to the effect that the saidis Lordis, at the instance of the Collectour Generall may obtene decreit aganis us for observing and keping of the said provisioun, and that the saidis Ministeris and Reidaris may be ordanit to be answerit and obeyit of the said sowme, as for thair saidis stipendis as said is; and forder, that in caise thay or ony of thame contravenis the said provisioun, thay sall amyt and tyne the commoditie of the said ratificatioun, quhilk I grant to have bene gevin upoun conditioun foirsaid. And heirto I bind and obleis me and my airis to our said Soverane Lord and his Majesteis Regent foirsaid in the stratest forme of obligatioun that can be divisit; and for the mair securitie I am content that this my obligatioun be registrat in the bukis of Secreit Counsale, and to have the strenth of ane Act and decreit of the Lordis thairof, with executoriallis direct thairupoun in forme as efferis; and to that effect makis, constitutis and ordanis Maisteris Johnne Scharp, Clement Littill,

etc., and ilkane of thame, my procuratouris, to compeir befoir the saidis Lordis quhatsumevir day or dayis lauchfull, and thair consent to the acting and registering of this my obligatioun in the saidis bukis, promittand de rato. In witnes of the quhilk thing I have subscrivit thir presentis with my hand at Kirkwall, the sext day of October, the yeir of God j^{m}v^{c}lxxiiii yeris, befoir thir witnessis, Laurence Bruce of Cutmalindeis, Williame Elphinstoun and James Hay, with utheris diverse. Sic subscribitur: Robert Stewart.

[Dalkeith, 31st October.]
Anent the Pest.

My Lord Regentis Grace and Lordis of Secreit Counsale being informit of the greit inconvenient liklie to follow be spreding of the infectioun of the pestilence to landwart, throw the departing of seik and fowll personis, fra the places quhair thay ar appointit to remane, to the landwart; and willing to provyde the best ordour and remedy that may be thairfoir, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pass to the marcat croce of Edinburgh, Peir and Schoir of Leyth and all utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindry personis infectit and suspectit of infectioun—owther in thair awin personis or ony utheris within thair houssis, that nane of thame tak upoun hand to conceill thair infectioun, bot immediatlie upoun the knawlege thairof to cloise thame selffis in, and that thay on na wayis remove frome the place of thair residence to landwart, under the pane of deid; and als commanding and chargeing all and sindry Baronis, Landit men and Baillies of townis to landwart, that thay and every ane of thame caus diligent watche and inquisitioun be kepit and takin, that na maner of personis that sal happin to cum out of ony suspect places or townis be resset or sufferit to have resort amangis thame, to the infectioun of utheris oure Soverane Lordis lieges, as thay will answer upoun thair obedience at thair uttirmest charge and perrell; and in caise ony infectit personis sal happin to be apprehendit contravenand the said ordinance, other conceland thair infectioun and passand amangis clene folkis, or cumand in the cuntre fra the place of thair appointit residence; that the Provest and Baillies of Edinburgh and utheris burrowis, and the saidis Baronis, Landit men and Baillies of townis to landwart, incontinent execute the saidis infectit personis sa apprehendit to the deith; quhairunto this present Act and ordinance sall serve and extend as a sufficient warrand and commissioun.

[Edinburgh, 2d November.]

Sederunt—Domini ut in die predicto.

Mr. Duncane Forbes.

Anent the complaint maid to the Lordis of Secreit Counsale be Maister Duncane Forbes of Monymusk, Williame Forbes his broder, Johnne Forbes, Robert Forbes, George Forbes and Johnne Dorty, burgessis of Abirdene, makand mentioun;—That quhair in the last Justice Court of Abirdene the burgessis of the said burgh being delaitit to be accusit for the tressonabill assisting and partaking with Adam Gordoun in his rebel-

lioun aganis oure Soverane Lord, thay tuke thame to thair componitur and promittit the sowme thairfoir, for payment of the quhilk sowme

Baillies of Abirdene.

the saidis Provest and Baillies hes devysit ane extent to be gadderit of the saidis burgessis; and upoun the Act maid thairupoun thay have obtenit letters, chargeing the haill burgessis of the said burgh to mak payment of the said taxatioun according to the taxt roll; and thairwith hes causit charge the saidis complenaris in speciall to mak payment of thair partis thairof as thay ar extentit, under the pane of rebellioun and putting of thame to the horne; and for allegeit non payment thairof intendis to put thame to the horne wranguslie; howbeit in veritie that at the tyme of the granting of the said compositioun thay, as alwayis innocent of the said cryme, offerit thame reddy to underly the law thairfoir, and refusit simpliciter to cum in rank with the remanent burgessis of the said burgh, assistaris with the said Adam in his rebellious deidis, to quhome the saidis complenaris at thair haill power resistit, be occasioun quhairof, as is notourlie knawin, thay wer bannissit frome thair rowmes and spuilyeit of thair haill gudis, and swa refusit simpliciter to concur with the saidis Provest, Baillies and remanent burgessis in payment of the said compositioun; upoun the declaratioun quhairof my Lord Regentis Grace in Counsale dischargeit the saidis complenaris of all payment of ony part of the said compositioun. And anent the charge gevin to Johnne Lowsoun burges of Abirdene, to compeir befoir the Lordis of Secreit Counsale at ane certane day bigane, to answer to the said complaint, as the samyn, with the executionis thairof, at mair lenth beris. Quhilkis being callit, Williame Forbes sone to the said Mr. Duncane comperand personalie in name of his said fader and remanent complenaris abonewrittin, and the said Johnne Lowsoun being alsua personalie present, the ressonis and allegationis of bayth the saidis partiis being hard and considerit be the saidis Lordis, and thay ryiplie avisit thairwith; the Lordis of Secreit Counsale, in respect of the ancient and accustumat consuetude observit in setting and payment of taxationis within burgh, ordanis the letters direct for payment of the said taxatioun to be put to forder executioun, conforme to the tennour thairof, upoun the personis particularlie contenit in the taxt roll maid thairupoun.

[Edinburgh. 8th November.]

Sederunt—Robertus Dominus Boyd. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clercius Registri. Clercis Justiciarie. Advocatus.

Persoun of Ballingre.

Anent oure Soverane Lordis letters rasit at the instance of Maister Alexander Wardlaw, Persoun of Ballingrie, makand mentioun;—that quhair sum evill advisit personis upoun malice hes this last Sonday at evin, being the last of October lastbipast, causit brek the said Maister Alexanderis fauld upon his kirklandis of Ballingrie, and chaisit his and his cottaris cattell furth thairof, extending to fiftie heid of nolt or thairby; quhilkis ar

Wardlaw of Torry.

poindit be Henry Wardlaw of Torry his broder, quha hes causit put thame in ane hous purposlie every ane of thame to slay ane uther, albeit thay

did him na skayth, and that the tyme of poinding of gudis is expyrit; yit —to eschew inconvenientis be the distructioun of his gudis in maner foirsaid to himself, and the uther inconvenient that may cum upoun the said Henry for spuilye of the same, and putting of the saidis gudis in ane unlauchfull punfauld and withhalding of thame by ordour of nychtbourheid, —the said Maister Alexander send four newtrall men, to wit, Johnne Steidman, Robert Alexander, David Redy, and David Haxtoun, tenentis of Kirknes, to the ground of Ballingrie,—not onelie to visie the skayth done be his cattell, bot als to offer to the said Henry sufficient amendiment quhidder thay had done skayth or nane; and to that effect wes content that he retenit ane, twa, thre, or four of the said cattell the best he plesit, quhill he wer satisfiit of the said skayth, quhilk he alluterlie refusit,—done of set purpois to caus his gudis slay uther in maner foirsaid, to his greit dampnage and skayth, and contrair all gude nychtbourheid. And anent the charge gevin to the said Henry Wardlaw, to restoir and deliver the said cattell agane to the said Maister Alexander within sex houris nixt eftir the charge, he findand sufficient cautioun to the officiar, executor of the said charge, of nychtbour men of the cuntre to amend the skayth done be his gudis, the same being liquidat under the pane of rebellioun and putting of the said Henry to the horne; or ellis to have comperit befoir the Lordis of Secreit Counsale at ane certane day bipast, and allegeit ane ressonabill caus quhy he sould not do the same, with certificatioun to him and he failyeit, the saidis Lordis wald decerne letters to be direct simpliciter upoun him to the effect abone writtin, in caise thir gudis be not poindit be vertew of ane decreit; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Maister Alexander Wardlaw comperand personalie, and the said Henry Wardlaw being oftymes callit and not comperand, the Lordis of Secreit ordanis letters to be direct, chargeing the said Henry Wardlaw yit as of befoir, to restoir and deliver the said cattell agane to the said Maister Alexander, he findand sufficient cautioun to the officiar executor of the saidis letters to the effect abonewrittin, within xxiiii houris nixt eftir the said Henry beis chargeit thairto, in caise the saidis gudis be not poindit be vertew of ane decreit, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the saidis xxiiii houris being bipast, to denunce him rebell and put him to the horne, and to escheit, etc.

[Edinburgh, 9th November.] Caution for Dunbar.

Forsamekill as oure Soverane Lord, with avise of my Lord Regentis Grace, hes gevin and disponit to the Baillies Counsale and Communitie of the Burgh of Dunbar, the towist and exactioun following, fredome and privilege thairof, to be upliftit, ressavit and usit be thame, thair deputtis and factouris to be appointit be thame thairto in thair names,—to the building of ane hevin under the toun, and be eist the Castell thairof, for the bettir sauftie of schippis and boittis resortand thairto,—and that for the space of thre yeris nixt eftir the dait of the letter maid thairupoun, quhilk is at Dalkeyth the day of November instant: That is to say, twa

schillingis of every tun of gudis enterand within the said havin of Dunbar at the entre thairof; twa schillingis of ilk tun at the outpassing, bayth of marchandis, fremen, unfremen, and strangearis; and siclyke of every tun fraucht at the entering thairof twelf pennyis, and at thair outpassing twelf penneis; of the schippis, crearis, and boittis cumand fra Norroway and utheris partis, laidynnit with tymmer, of every hundrith geistis, ane; of every hundrith rauchteris, ane; of every hundrith corbattis, ane; of every hundrith wanscot, ane; of every hundrith daillis, ane; and siclyke of every sort of tymmer cumand to the said port and havin, ane; or the avale and pryce thairof as the ramanent salbe sauld. Of every chalder victuale that salbe sauld in the said port and havin of Dunbar, of the marchant sextene penneis, and of the skippar and maister aucht penneis; and siclyke of all uther kynd of gudis quhilkis ar usit to be disponit be chalderis, as the said letter, under the Prevy Seill, at mair lenth proportis. Quhairfoir Maurice Lawder Baillie of Dunbar is becum actit and obleist, and be the tennour heirof bindis and obleissis him and his airis, that the said towst salbe convertit to the use abone writtin and na utherwayis; and als that at the ische and outrynning of the saidis thre yeris, thay sall cum and gif accompt to the Lordis Auditouris of Chekker, bayth of the quantitie of the ressait of the said towist, and how the samyn is bestowit. Sic subscribitur: Mores Lawder, with my hand.

[Edinburgh, 10th November.]

Sederunt—Domini ut in die predicto.

Makky.

Anent oure Soverane Lordis letters rasit at the instance of Andro Makky burges of Striveling, makand mentioun;—that quhair he gaif in ane com-

Baillies of Striveling.

plaint of befoir to my Lord Regentis Grace upoun the Provest and Baillies of the said Burgh, declarand that he sex oulkis syne or thairby, being standand at the barras port of the said Burgh, to await as ane appointit for uptaking of the sheref feis, as use is in tyme of fairis; in the menetyme ane dog come and bait the said complenaris arme to the effusioun of his blude in greit quantitie, and to eschew further hurt of the said dog, he myntit to haif strukin him; immediatlie cumis ane namyt Edmond Broun, ane Hieland pyper, and invadit the said complenar with ane drawin swerd, quhairthrow he wes constranit to fle into ane hous for sauftie of his lyff, he nevir committand offence to the said pyper in word or deid. And notwithstanding the hurt sustenit be him throw the said pyperis dog, and invasioun maid be the said pyperis self for persute of his lyff as said is, the said pyper past to Andro Cowane, Baillie of the said Burgh, and complenit to him upoun the said complenar, albeit na offence wes committit be him towart the said piper; the said Baillie bering the said complenar at indignatioun, becaus he, as Custumar depute in that part be Robert Gourlaw Custumar of Edinburgh, for uplifting of the custumis of all and sindry Inglis gudis quhilkis may be apprehendit within the boundis of the Sherefdome of Striveling, chargeit the said Andro Cowane, to concur fortifie and assist the said complenar in uptaking of the custumes of

certane Inglis clayth, pertening to ane Inglisman being than present within the said Burgh; quha not onelie refusit to concur with him, bot gaif him mony injurious wordis, quhome unto the said complenar answerit than instantlie that he sould complene to my Lord Regent thairof. The said Baillie being myndfull of the answer and wordis spokin to him be the said complenar of befoir, under cullour of stryking of the said pyperis dog, causit intruse him in the Tolbuith of the said Burgh, quhair he remanit to the tyme the saidis Baillies causit fens ane Court, and on thair pretendit maner, and throw perswasioun of the said Andro Cowane being bayth juge and partie, pronunceit thair sentence of banisement of the said complenar of the said Burgh during thair will. Quhairupoun the said complenar menit him to my Lord Regentis Grace, and obtenit his missive letter, requiring the saidis Provest and Baillies to suffer him peciablie remane within the said Burgh for using of his said office of custumarie, unto the tyme my said Lord Regentis Grace take further tryell heirintill; quhilk being presentit to the saidis Provest and Baillies, thair answer wes thay wald not obey the same for ocht thay had yit sene. And anent the charge gevin to Robert Foster Provest, Andro Cowane and Williame Norwell, Baillies of the said burgh of Striveling, to ressave the said Andro Makky agane within the samyn, that he may brouke and joise the libertie thairof, siclyke and als frelie as ony utheris inhabitantis of the samyn quhilkis hes payit the lyke dewitie for the said libertie; or ellis to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, and schawin ane ressonabill caus quhy the samyn sould not be done, under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, the said Andro Makky comperand personalie, with Alexander King his prelocutor, and the saidis Robert Forester and Andro Cowane comperand alsua personalie, for thame selffis and in name of the said Williame Norwell, quha schew and produceit diverse decreittis and sentences gevin in the Shereff Court of the Burgh of Striveling aganis the said Andro Makky, convicting him of certane pointis of dittay and accusatioun led aganis him, quhairupoun followit the said banisement; quhilkis being red, sene, and considerit be the saidis Lordis, and thay ryiplie avisit thairwith. The Lordis of Secreit Counsale findis the saidis decreittis to be weill and ordourlie procedit, and thairfoir assoilzeis the Provest and Baillies fra the saidis letters and contentis thairof.

[Dalkeith, 16th November.] The Sessioun ordanit to ceise during the tyme of the pest.

Forsamekill as at the plesour of God the infectioun of the pestilence is enterit and spred within sum partis of the Burgh of Edinburgh, toun of Leyth, and sum townis and partis in the north coist of Fyff, swa that gif oure Soverane Lordis liegis sall resort to the saidis partis for awayting on thair caussis in the Sessioun, or to dayis of law, or to the Previe Counsale, thay may incur skayth and inconvenient; and the mair difficill it

salbe to tak ordour for keping and clengeing of the saidis places infectit gif the same be not done now in the winter seasoun, and that quietnes be kepit sa far as is possibill in the menetyme; thairfoir with avise of the Lordis of Secreit Counsale and of Sessioun, hes thocht meit and expedient that the Sessioun and College of Justice sall presentlie ryise and stay fra all further proceding quhill the aucht day of Januare nextocum, providing that all thingis callit or warnit to this present Sessioun haif siclyke proces at the said day as the same mycht have presentlie; and als that the Conventioun of the Nobilitie and States appointit to have convenit for the effairis of the commoun weill upoun the xxv day of November instant, sall lykewyis, for the caussis and considerationis befoir specifiit, stay and continew quhill the xxv day of Februare nixtocum, without upoun sum urgent occasioun thay be certifiit and admoneist of new be letters in the menetyme; and that all criminall dayis of law set befoir the Justice or his deputtis, fra Sonday nixt the xxi day of November instant quhill the said xxv day of Februare nix to cum, be continewit; the partiis callit findand cautioun to the Justice Clerk or his deputtis to compeir of new and underly the law for the crymes quhairof thay ar persewit at sum uther day; and inlikewyis that all dyettis befoir the Regentis Grace and Previe Counsale, warnit or appointit to ony day, betuix, and the said aucht day of Januare, rest and ly ower without new and speciall warning be maid eftir the dait heirof,—be it alwayis understand that the day of law assignit to Hew Raulstoun of that Ilk and his complices to underly the law for certane crymes committit aganis Robert Lord Sympill approcheing sa schortlie, and the cryme being sa fowll and odious is not to be continewit, bot to proceid at the day appointit, and justice to be ministrat in the same as accordis of the law; nor yit ar the dyettis befoir the Previe Counsale concerning the gude rewle and ordouring of the Bordouris meanit to be continewit, seing thay can not suffer delay; and that nane of our Soverane Lordis lieges sall pretend ignorance heirof, ordanis letters to be direct to mak publicatioun of the same at the marcat croce of Edinburgh and utheris places neidfull, in dew forme as efferis.

[Dalkeith, 27th November.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Georgius Dominus Seytoun. Robertus Dominus Boyd. Robertus Commendatarius Dunfermling. Clericus Justiciarie. Advocatus.

Command to ressave cautioun of the Erll of Huntly.

Rex. Clerk of oure Prevy Counsale; forsamekill as George Erll of Huntly being, upoun informatioun of his broder Adam Gordoun of Auchindownis unlauchfull practize and dealingis in the realme of France, committit to ward within the boundis of the cuntre of Galloway, in hoip to try the bettir the same practizes and dealingis at hame, nor quhair he now remanis in ward, hes maid sute to be relevit thairof: Quhairfoir it is our will and with avise and consent of our rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to us, our realme and lieges, we command yow

that incontinent eftir the sicht heirof, ye ressave souirtie of the said George Erll of Huntly, that he sall re-entir agane within his present ward appointit within the boundis of Galloway, or in ony uther ward quhair we and our said Regent sall appoint, upoun the conditioun for quhilk he presentlie lyis, quhen he salbe requirit thairto upoun xv dayis warning, under the pane of twenty thowsand pundis; quhilk souirtie being fundin, that ye deleit the formar Act maid in the bukis of Previe Counsale anent the said Erllis entre and remaning in ward within the boundis of Galloway, sua that he may depart hame to his dwelling place or utherwayis at his pleasour, as ye will answer thairupoun kepand thir presentis for your warrand. Subscrivit be oure said cousing and Regent, at Dalkeyth, the xxviii day of November, and of our regnne the aucht yeir, 1574. Sic subscribitur: James Regent.

Lord Maxwell.

Anent the charge gevin be vertew of oure Soverane Lordis letters to Johnne Johnnestoun of that Ilk, to entir and present befoir my Lord Regentis Grace and Lordis of Secreit Counsale, Johnne Johnnestoun in Leverhay callit Jok of Howgill, Willie Johnnestoun in Kirkhill, Petir Johnnestoun his broder, Edward Johnnestoun callit Nichollis Edward, Pait Johnnestoun in Watterheid and Pait Johnnestoun his sone, this day, to answer to sic thingis as sould be laid to thair charge, eftir the forme and tennour of his band and under the panis contenit in the same, lyke as at mair lenth is contenit in the saidis letters; the said Johnne Johnnestoun of that Ilk comperand personalie, and the utheris personis abonewrittin, his freindis and servandis being oftymes callit and not comperand; the ressonis and excusationis of the said Johnne Johnnestoun being hard and understand to my Lord Regentis Grace and Counsale foirsaid, and thay ryplie avisit thairwith; findis the answering of the said Johnne Johnnestoun for non presenting of his saidis freindis and servandis not sufficient; and thairfoir ordanis his awin persoun to be stayed and kepit in ward, quhair my Lord Regentis Grace sall appoint quhill the same personis be enterit.

Lard Johnnestoun.

Anent the complaint maid be Johnne Lord Maxwell Wardane of the West Marche of this realme foranent Ingland, upoun Johnne Johnnestoun of that Ilk, for non entre of Williame Johnnestoun of Reidhall, Johnne Johnnestoun of Graitnay and his men on the day of trew, for releif of our Soverane Lord and his said Wardane, of certane billis quhairin thay ar fylit; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, findis and declaris that the said Johnne Johnnestoun of that Ilk sould and aucht to entir the saidis personis at the nixt day of trew for releif of the King, according to justice and the lawis of Marches, as he will answer upoun his obedience.

Anent the complaint maid be Johnne Lord Maxwell, Wardane of the West Marche of this realme foranent England, upoun Johnne Johnnestoun of that Ilk, for the dissobedience and non comperance of his friendis and servandis to the Stewart Court of Annanderdaill; my Lord Regentis Grace and Lordis of Secreit Counsale, findis and declaris that the said Lard of Johnnestonis freindis and servandis sould and aucht to keip and compeir

at the saidis Stewart Courtis as the utheris our Soverane Lordis liegis within the boundis of the said Stewartrie; and ordanis the said Johnne Lord Maxwell to find souirtie that nane of the said Lard of Johnnestonis friendis and servandis cuming to and fra the said Stewart Court of Annanderdaill, salbe invadit troublit or persewit utherwayis nor be ordour of law and justice.

Anent the cornis eittin be the said Lard of Johnnestoun, his freindis and servandis, with thair horssis, on the ane part; and be the said Lord Maxwellis brother, his friendis and servandis be his command and directioun, on the uther part; my Lord Regentis Grace and Lordis of Secreit Counsale ordanis the names of sa mony personis as wer present at the deid doying to be presentit, and that ayther of the saidis Lord Maxwell and Lard of Johnnestoun find souirtie to entir the personis complenit upoun, to underly the law at ane particular day for the criminall caus; and for the civile actioun, ordanis ayther of the saidis partiis to persew utheris as accordis of the law.

The quhilk day, Johnne Johnnestoun of that Ilk promeist to entir sa mony plegis of his freindis and servandis as past hame without leif befoir my Lord Regentis Grace and Lordis of Secreit Counsale, the aucht day of December nix to cum.

The quhilk day, Johnne Johnnestoun of that Ilk promeist to entir his servandis and tenentis billit for the resset of the Inglis fugitives at the nixt day of trew, to be answerable for releif of King and Wardane, according to the lawis of Marches.

The quhilk day, Johnne Johnnestoun of that Ilk promeist to caus all his freindis or servandis within Annanderdaill not ellis plegit for, to entir under plegis, thair names being deliverit to him.

The quhilk day, Johnne Lord Maxwell on the ane part, and Johnne Johnnestoun of that Ilk on the uther part, nominat the nobill men and freindis respective eftir following, for hering, trying, and componing of all debaittis, elestis, displeasouris, and unkyndnessis quhilkis ayther of thame hes or may pretend aganis utheris for quhatsumevir caus or occasioun bigane; that is to say, for the part of the said Lord Maxwell, Johnne Lord Glammis Chancellar of Scotland, Robert Lord Boyd, Johnne Lord Herys, James Dowglas of Drumlangrig knycht, Alexander Stewart of Garleis, Williame Dowglas of Quhittinghame, Johnne Mure of Rowallane, Robert Maxwell of Cowhill, and Edward Maxwell of Drumcoltrane; and for the part of the said Johnne Johnnstoun of that Ilk, Andro Erll of Rothes, Robert Commendatare of Dunfermling, Sir James Balfour of Pettindreycht knycht, Sir James Hammiltoun of Craufurd Johnne knycht, Williame Levingstoun of Jerviswod, Johnne Johnnestoun of Newby, Thomas Johnnestoun of Craighopburne, Robert Dowglas of Cassehogill, Walter Scot of Goldelandis, and Walter Scott of Tuschelaw, or ony four, thre, or twa of thame on ayther syde; and the saidis personis sall caus thair saidis freindis nominat be thame, or ony thre or twa of thame on ayther syde, convene in the burgh of Edinburgh the xv day of Februare nix to cum, thair to commoun and travell for awaytaking and componing of the saidis debaittis and contraversiis; and in the menetyme bayth the saidis partiis promeist

and obleist thame for thame selffis and all that thay may let to keip gude rewle in the cuntre, as thai will answer on thair honouris.

The quhilk day Robert Maxwell of Cowhill, and Edward Maxwell of Drumcoltrane, become souirteis conjunctlie and severalie, that nane of the Lard of Johnnestonis freindis or servandis cuming to or fra the Stewart Court of Annanderdaill, salbe invadit troublit or persewit, utherwayis nor be ordour of law and justice, under the pane of fyve thowsand pundis.

[George Earl of Huntly, having been in ward in Galloway, on account of suspicion as to the conduct of his brother, Gordon of Auchindoun, in France, petitions for present relief, offering as sureties for his re-entering, Robert Lord Elphingstone, John Gordon of Lochinvar, James Striveling of Keir, and John Blacater of Tulliallan. In respect of the surety found, the act for warding in Galloway cancelled.] [Edinburgh, 2d December.]

Sederunt—Robertus Dominus Boyd. Allanus Dominus Cathcart. Clericus Registri. Clericus Justiciarie. Advocatus. [Edinburgh, 8th December.]

Pryour of Pluscardin.

Anent oure Soverane Lordis letters rasit at the instance of Alexander Pryour of Pluscardin and George Lord Seytoun his lauchfull administratour and governour for his interes, makand mentioun;—that quhair Maister Patrik Balfour minister at Urquhart allegeand him to be assignit to certane victuallis furth of the thrid of the said Pryorie for payment of his stipend of this instant fourtene yeris crop, hes laitlie in the moneth of October, with convocatioun of oure Soverane Lordis liegis bodin in feir of weir, be collusioun betuix him and Maister Johnne Dunbar of Mestis—quha is addetit in payment for the teindis of the Mestis in four chalderis victuale—cum to the toun and landis of Over and Nethir Mestis, and thair maisterfullie and on force, reft spuilyeit away led and detenit, the haill teindis of the cornis growand thairupoun of this instant yeir, at his awin hand, but ony ordour of law; and hes led and transportit the samyn to the ground of certane landis pertening to the Lard of Innes, and hes threschin and disponit thairupoun at his pleasour. And siclyke Maister Andro Symsoun minister at Dyke, allegeand him likewyis to be assignit to certane victuale furth of the thrid of the said Pryorie, of the crop foirsaid, hes laitlie cum to the townis of Incherno and Westirtoun in the Glen of Pluscardin; and thair, accumpaneit with ane greit nowmer of armit men, with convocatioun of oure Soverane Lordis liegis, contrair the Actis of Parliament, reft, spuilyeit and tuke away certane drawin oxin, hors, meris, and hes cassin the haill cornis growand this instant crop of the lxxiiii yeris upoun the saidis toun and landis of Westirtoun, eftir that the samyn wes led and stakkit in the barne yard thairof, and perforce led away the teind schaves of the same unjustlie and aganis all ordour of law; the saidis ministeris having onelie assignit to thame certane victuale of certane pryce, and the terme of payment and deliverance thairof being not yit cum, and na power having be vertew of thair assignatioun to intromet with the saidis teindis, Ministeris at Urquhart and Dyke.

bot onelie at the tyme of payment of the saidis victuallis to have chargeit the chalmerlanis fewaris or tennentis, to have payit the same, or ellis the pryces thairof contenit in thair assignationis. And anent the charge gevin to the said Maister Patrik Balfour and Maister Andro Symsoun, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bigane, to answer to the complaint abonewritten, under the pane of rebellioun and putting of thame to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said George Lord Seytoun comperand personalie, with Maister Clement Littill his prelocutour, and as procuratour for the said Pryour, the said Maister Andro Symson being alsua personalie present, and the said Maister Patrik Balfour being oftymes callit and not comperand; the ressonis and allegationis of the personis present being hard and considerit be the saidis Lordis, and thay ryplie avisit thairwith. The Lordis of Secreit Counsale decernis and ordanis the said Maister Andro Symsoun, of his awin consent, to restoir and deliver agane the saidis gudis and cornis takin fra the saidis tenentis of Incherno and Westirtoun foirsaidis, at the leist to satisfie thame thairfoir betuix and the first day of Januare nix to cum, as na forder complaint wer ministrat thairanent,—becaus James Geddie in Urquhart become cautionar and souirtie for the said George Lord Seytoun, that he sall content and pay to the said Maister Andro the sowme of fiftie pundis money of this realme, betuix, and the said first of Januare, as for the avale and pryce of xx bollis of victuale assignit to him furth of the said Pryorie, for a part of his stipend of the yeir of God j^{m}v^{c}lxxiii yeris. Attour, the saidis Lordis ordanis letters to be direct, chargeing the said Maister Patrik Balfour yit as of befoir, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale the tent day of Januare nix to cum, to answer to the said complaint, under the pane of rebellioun, with certificatioun to him and he failye, letters salbe direct simpliciter to put him to the horne, and to escheit, etc.

[Dalkeith, 28th December.]

Sederunt—Jacobus Dominus Regens. Willelmus Dominus Ruthven. Robertus Dominus Boyd. Clericus Registri. Clericus Justiciarie. Advocatus.

Ordour for Prestoun Pannis.

Forsamekill as the greit and exorbitant pryces of small salt, being understand to the Estaittis of the last Parliament, it wes than statute and ordanit that na small salt sould be transportit furth of this realme at ony tyme thaireftir, at leist for the space of thre yeris eftir the dait of the said Act, under the pane of confiscatioun of the salt, as alsua of the schippis, veschellis, and utheris movabill gudis of the personis transportaris thairof, as in the Act of Parliament maid thairupoun at mair lenth is contenit; quhilk thaireftir upoun certane offeris wes for a tyme dispensit with, and licencis grantit to transport salt, on conditioun that the cuntre sould be sufficientlie answerit upoun certane ressonabill pryces aggreit on; bot the granting of the saidis licencis and dispensatioun being

thaireftir found prejudiciall to the commoun weill of the realme, and the conditionis of serving the cuntre not observit, my Lord Regentis Grace, be avise of the Prevy Counsale, dischargeit the saidis licencis and dispensationis, commanding as afoir that nane of the liegis sould tak upoun hand to transport or cary ony maner of salt out of this realme, under the panis contenit in the said Act of Parliament; quhilk last restraint hes alsua brocht sum hurt and inconvenient with it, the Pan maisteris and laboureris of the salt lamenting how, in hoip of libertie to transport and sell thair salt in foreyn cuntreis, thay have biggit mony ma salt pannis, and set mony ma servandis to werk nor heirtofoir thay wer accustumat to do quhen thay onelie travellit to serve the realme itself; quhilkis personis thay ar not abill to interteny and sustene gif thay salbe constranit to sell the haill salt maid be thame upoun the saidis small pryces, the present derth of all thingis considerit. Quhairfoir, and to the effect that baith the cuntre may be servit of salt upoun ressonabill pryces, and likewyis that the Pan maisteris and lauboraris of the said salt sall not be hinderit of sic commoditie as God may send of thair lauchfull laubouris,—upon the humble offer and aggrement of the Pan maisteris of Prestoun Pannis, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis, that of every gangand pannis in Prestoun Pannis, ane laid of salt extending to thre bollis salbe deliverit owlklie to sic persoun as sal haif commissioun of oure Soverane Lord to ressave the samyn, to the furnissing of the cuntre for x ß. the boll; under the pane for every boll of salt that beis not oulklie deliverit, of ane laid to be intromettit with and uptakin thairfoir,—begynnand the present oulk, and so to continew quhill the nixt Conventioun of the Nobilitie and Estaittis, convenit at the xxv day of Februare nix to cum, that than it may be considerit quhidder the ordour now aggreit unto be expedient for the commoun weill langar to continew or not. Of the quhilk salt to be oulklie ressavit in maner foirsaid, the cuntre salbe reddelie answerit and servit at the handis of the said persoun depute to ressave the same fra the pannis for x ß. iiii ₫. the boll; and that letters be direct for publicatioun heirof at the marcat croce of Edinburgh, and all utheris places neidfull, that nane pretend ignorance of the samyn, and that thairby the Provestis and Baillies of burrowis and townis to landwart may appoint the pryce of the salt cumand to thair townis to be sauld accordinglie, eftir consideration of the distance of cariage, and as the salt is bocht at the Pannis; and als to command and charge all and sindry oure Soverane Lordis liegis as of befoir, that nane of thame tak upoun hand to transport or cary ony maner of salt furth of the realme without oure Soverane Lordis speciall licencis to that effect, subscrivit be the Regentis Grace and under the signet, swa as nane pretend the lyke libertie as is presentlie grantit to the Pan maisteris of Prestoun Pannis, quhill thay haif maid the lyke securitie as thay of Prestoun hes maid, under the panis contenit in the said Act of Parliament; certifeing thame and thay failye, the saidis panis salbe extremelie execute upoun thame with all rigour in exempill of utheris.

Dispensatioun of the dome of banisement pronuncit aganis Johnne Robertsoun.

Rex. Clerk of the Secreit Counsall; forsamekill as We, with avise and consent of oure rycht traist cousing, James Erll of Mortoun Lord of Dalkeith, Regent to us, our realme and liegis, haif dispensit, and be the tennour heirof dispensis with the dome of banisement pronunceit aganis Johnne Robertsoun in the Castlegait, sumtyme burges of Abirdene, now remaning in the realme of England; and gevis and grantis licence to him to returne within our realme, and resort to his own dwelling hous, and uther partis of our realme, as our fre liege, for the space of sex monethis eftir the dait heirof, and farder during our will, and quhill we specialie discharge this our licence, without pane, dangeare, or prejudice to be incurrit be him or his souirtie thairfoir in bodiis or gudis; quhairfoir ye sall incontinent eftir the sicht heirof ressave souirtie of the said Johnne, that he being within our realme sall na wayis inbring or output ony fals or countirfait money in tyme cuming, under the pane of ane thowsand pundis, quhilk sourtie being fundin, that ye deliver the copy of thir presentis autentiklie to the said Johne, kepand the principall registrat in the bukis of oure Prevy Counsale for your warrand. Subscrivit be oure said cousing and Regent, at Dalkeith, the xxix day of December, the yeir of God j^{m}v^{c}lxxiiii yeris, and of our regnne the aucht yeir, 1574.

Glenurquhyis band upoun a nonentre.

Be it kend till all men be thir present letters, me, Colyne Campbell of Glenurquhy, that forsamekill as oure Soverane Lord, with avise and consent of his rycht traist cousing, James Erll of Mortoun Lord of Dalkeith, Regent to his Majestie, his realme and liegis, hes gevin and disponit to me, my airis and assignayis, the nonentres, males, fermis, proffeittis and dewiteis of all and haill the landis of Conry, Roro, Morinche Eistir, Morinche Middill, and Morinche Westir, Duncrosk, Candknok, and Auchmoir, with all cottages, outseittis, partis pendicles and pertinentis thairof, liand in the barony of Menzeis, within the Sherefdome of Perth, of all yeris or termis bigane that the same hes bene in his Hienes or his predecessouris handis as superiouris thairof be ressoun of nonentres, sen the deceis of umquhile Robert Menzeis of that Ilk or ony uther last lauchfull possessour thairof, immediat tenent to our Soverane Lord or his predecessouris of the samyn; and siclyke of all yeris and termis to cum, ay and quhill the lauchfull entre of the richtuous air or airis thairto being of lauchfull aige, with the releif thairof quhen it sal happin, as the letters of gift under the Prevy Seill maid to me thairupoun at mair lenth beris, of the dait at Dalkeith the sevint day of Januare, the yeir of God j^{m}v^{c}lxxiiii yeris. Nevirtheles to be bundin and obleist, and be the tennour heirof bindis and obleissis me, my airis and assignayis, to oure Soverane Lord and his said Regent, that we sall na wayis use the said gift of nonentres bot be avise and contentment of his Hienes and his said Regent; and in caise we do in the contrair, grantis and consentis that the said gift salbe of nane avale, force or effect, with all that may follow thairupoun. In witnes of the quhilk thing I have subscrivit this present obligatioun with my hand at Edinburgh, the aucht day of Januare, the yeir of God j^{m}v^{c}lxxiiii yeris, befoir thir witnessis,

David Craufurd of Blakcraig, Gawin Hammiltoun and Johnne Andro, with utheris diverse. Sic subscribitur: Colin Campbell of Glenurquhy.

[Dalkeith, 9th January.] Ordour for the Pannis of Dysert.

Forsamekill as upoun the humble offer and agrement of the Maisteris of Dysert, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis that of every gangand pan in Dysert thre bollis of salt sal be deliverit oulklie to sic persoun as sal haif commissioun of oure Soverane Lord to ressave the samyn, to the furnissing of the cuntre, for x ß. the boll, under the pane for every boll of salt that beis not oulklie deliverit, of thre bollis to be intromettit with and uptakin thairfoir, begynnand this present oulk, and sa to continew quhill the nixt conventioun of the Nobilitie and Estaittis, appointit at the xxv day of Februare nixtocum, that than it may be considerit quhidder the ordour now aggreit unto be expedient for the commoun weill langar to continew in that state or not; of the quhilk salt to be oulklie ressavit in maner foirsaid, the cuntre salbe reddelie answerit and servit at the handis of the said persoun depute to ressave the same at the pannis for x ß. iiii đ. the boll; and that letters be direct for publicatioun heirof at the marcat croce of Edinburgh, and utheris places neidfull.

[Act as to the salt pans of Kirkcaldy, in the same terms.] [Dalkeith, 10th January.]

[Holyrood House, 24th January.] Ordour anent the Salt Pannis of Barrestounnes, Culross, and Fordell.

Forsamekill as upoun the humble offer and aggrement of the pan Maisters of Barrestownnes, Culross, and Fordell, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis that of every gangand pan in Barrestounes, Culross, and Fordell, thre bollis of salt of the mesour of Kirkcaldy salbe deliverit oulklie to sic persoun as sal haif commissioun of our Soverane Lord to ressave the samyn, to the furnissing of the cuntre for x ß. the boll of the mesour foirsaid, under the pane for every boll of salt that beis not oulklie deliverit, of thre bollis of salt to be intromettit with and uptakin thairfoir, begynnand this present oulk, and sa to continew quhill the nixt conventioun of the Nobilitie and Estaittis, appointit at the xxv day of Februare nix to cum, that than it may be considerit quhidder the ordour now aggreit unto be expedient for the commoun weill langar to continew or not; of the quhilk salt of the mesour foirsaid to be oulklie ressavit in maner abonewrittin, the cuntre salbe reddelie answerit and servit at the hands of the saidis personis depute to ressave the same at the pannis for x ß. iiii đ. the boll, of the mesour abone mentionat; and that letters be direct for publicatioun heirof at the marcat croce of Culross and utheris places neidfull, that nane pretend ignorance of the same.

[Holyrood House, 25th January.] That nane transport mair salt nor is contenit in thair licenses.

Forsamekle as laitlie upoun the humble offer and aggrement of the pan maisteris and laubouraris of quhyte salt within this realme, licencis wer grantit to diverse personis to transport and cary furth of the same certane quantitie of salt, severallie contenit in the saidis licencis grantit thairupoun; notwithstanding, as my Lord Regentis Grace is suirlie informit, the

saidis personis abusing thair saidis licencis, hes transportit and laitlie hes schippit and in reddines to transport greittar quantitie of salt nor is contenit in the samyn licencis, thinking under cullour thairof to eschew the punisement that utherwayis may follow, and in the menetyme the conditionis maid for serving of the cuntre upoun ressonabill pryces is not observit, to the greit hurt of the commoun weill gif remeid be not providit in tyme. Quhairfoir, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing all and sindry oure Soverane Lordis liegis quhilkis hes obtenit licencis for transporting furth of this realme of the said small salt, or ony part thairof, that nane of thame take upoun hand to transport or cary away ony greittar quantitie of salt nor is specialie and expreslie nominat in the particular licencis grantit to thame thairupoun, under the pane of confiscatioun of the haill salt schippit or to be schippit be thame to our Soverane Lordis use; certifeing thame gif thay failye, the samyn salbe confiscat and intromettit with, and the personis awnaris thairof utherwayis puneist in thair personis as efferis. And siclyke to command and charge the personis specialie nominat in the commissionis for collecting of the salt at the Pannis, and furnissing of the cuntre thairwith, to se the premissis observit and kepit in all pointis, and to notifie the personis contravenaris thairof to my Lord Regentis Grace and Counsale, that ordour may be tane with thame as appertenis, as thay will answer upoun thair uthirmest charge and perrell.

[Holyrood House, 27th January.]

Sederunt—Jacobus Dominus Regens. Willelmus Dominus Ruthven. Patricius Dominus Lindesay. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Justiciarie. Advocatus.

Johnne Harrat.

Anent oure Soverane Lordis letters rasit at the instance of Johnne Harrat burges of Edinburgh, makand mentioun;—that quhair Johnne Martinesoun indwellar of the toun of Horne, in the Erldome of Holland, and Adrian Damasson indwellar in the toun of Dort, in the partis of Holland, obtenit ane decreit befoir my Lord Regentis Grace and Lordis of Secreit Counsall, decerning and ordaning the said Johnne Harrat and all utheris intromettouris with thair schippis and gudis, quhilkis wer brocht in be pyrattis to the port and havin of Montroise in the moneth of Junii last bipast, to deliver the same to thame, ilkane for thair awin part respective; and that becaus testimonallis wer producit be thame that the saidis schippis and gudis justlie pertenit to thame and utheris thair partinaris, freindis, and confederattis of this realme, as the said decreit at mair lenth proportis. And albeit the said Johnne Harrat hes not onelie satisfiit the saidis Johnne Martinesoun and Adrian Damasson for all thingis intromettit with be him, bot als for the haill gudis being within the saidis schippis, and bocht the samyn fra thame; nochttheles Richard Lichtoun, ane of the Baillies of Montroise, intromettour with ane greit part of the saidis gudis, refusis to deliver to the said Johnne Harrat four barrellis of as, and ane hundrith and

Baillie of Montrois.

fifty pundis of this realme ressavit be the said Richard for a part of the samyn gudis, quhilk be Act of Secreit Counsale wer ordanit to be sauld and remane consignit in the said Johnnes handis, without the said Richard be compellit. And anent the charge gevin to the said Richard Lichtoun to restoir and deliver to the said Johnne Harrat or his factouris in his name the saidis four barrellis of as, and an hundrith and fifty pundis money foirsaid pertening to him in maner abonewrittin, within xlviii houris nixt eftir the charge; or ellis to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and schawin ane ressonabill caus quhy he sould not do the samyn; with certificatioun to him and he failyeit, utheris letters sould be direct, chargeing him simpliciter thairto, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Johnne Harrat comperand be Alexander Segait, and the said Richard oftymes callit and not comperand; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Richard yit as of befoir, to restoir and deliver to the said Johnne Harrat or his factouris in his name, the saidis four barrellis of as, and ane hundrith and fifty pundis money foirsaid, within sex dayis nixt efter the charge, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, to denunce, etc.

Tenentis of West Ferry and Monifuith.

The quhilk day, anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Thomas Leyis in the West Ferry be Eist Dunde, Henry Knycht, Williame Walkar, Helene Bukhame, Jonet Lindesay, James Lovell, Cristiane Walker, Andro Malvile, Henry Barry, Johnne Rodger, Robert Selkirk, puyr tenentis of West Ferry and Monyfuith, pertening to the leving of Ballumby, makand mentioun.—That quhair Henry Lovell eldar of Ballumby hes sen his last cuming to the partis of Angus accumpaneit with certane wickit personis, sittin doun in the hous of the said Helene Bukhame, and be way of deid schot hir out of the samyn; and hes cassin doun the houssis of the saidis Cristiane Walker, Andro Malvile, Henry Barry, and Johnne Rodger, and hes tane and brint ane boit pertening to the said Thomas Leyis; and siclyke hes put the said Robert Selkirk fra his cobill fischeing, and cuttit his nettis, and last come to the dwelling hous of the said Henry Knycht, and brak his brewing lumis; and schortlie thaireftir umbeset him at aucht houris in the nycht cumand fra Dunde, and invadit him with ane drawin swerd and kaist ane quhingeare at him; lyke as he hes usit invasioun and oppressioun of the saidis tenentis continewalie sen his last cuming in the saidis partis of Angus, as at mair lenth is contenit in the said complaint. Quhairunto the said Henry being warnit to answer, and he comperand personalie, denyit the haill pointis thairof. Quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis, admittis the samyn to the saidis complenaris probatioun, and for preving thairof assignis to thame the tent day of Februare nix to cum; and ordanis thame to have letters to summond sic witnessis as thay

Auld Ballumby.

will use for preving of the pointis of the said complaint agane the said day, under the pane of rebellioun, etc., with certificatioun, etc.; and als to warne the said Henry Lovell to compeir befoir my said Lord Regentis Grace and Lordis of Secreit Counsale the said day, to heir and se the saidis witnessis ressavit, sworne, and admittit, with intimatioun as efferis.

[Holyrood House, 2d February.]

Sederunt—Jacobus Dominus Regens. Andreas Comes de Rothes. Patricius Dominus Lindesay. Adam Episcopus Orchadensis. Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus.

Protestatio Johnne Wallace.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsall, comperit Johnne Wallace in Monktounhill, and gaif in ane copy of our Soverane Lordis letters, rasit at the instance of Johnne Cathcart in Gibbisyairdis, Robert Adam in Overtounhill, and remanent tenentis of the barony of Auchincru, berand in effect.—That Claude Hammiltoun Commendatare of Paslay, and the said Johnne Wallace,—pretend-and rycht to the teindis of the saidis landis of Auchincru, and that the samyn, of certane yeris preceding the according to the first abstinence, wes exstant in the saidis tenentis handis the tyme of the Pacificatioun, concludit at Perth upoun the xxiii day of Februare, the yeir of God j^{m}v^{c}lxxii yeris,—hes callit and persewit the saidis tenentis for payment of the same teindis befoir the Commissar of Glasgow; albeit Allan Lord Cathcart, takkisman of the saidis teindis, quhom to the saidis complenaris maid payment lang befoir the first abstinence, being chargeit be letters in the four formes, rasit at the instance of the said Commendatare, the said Lord Cathcart, upoun ane supplicatioun gevin in to the Lordis of Sessioun, obtenit the saidis letters suspendit for certane caussis contenit in the letters rasit thairupoun; and the mater being callit befoir the saidis Lordis of Sessioun, quha finding the discusse thairof propirlie to appertene to my Lord Regentis Grace and Lordis of Secreit Counsale, remittit the samyn to thair jugement and declaratioun, quhome befoir, it being anys ressonit wes continewit to ane certane day thaireftir; at quhilk day, thair being na thing done be ressoun my Lord Regentis Grace wes in Dalkeyth, the mater lay ower as it dois yit; and in the menetyme the saidis Commendatare and Johnne Wallace persewis the saidis tenentis for the saidis teindis befoir the Commissar of Glasgow, nochtwithstanding the dependance of the samyn befoir my Lord Regentis Grace and Lordis of Secreit Counsall, as said is, lyke as at mair lenth is contenit in the copy of the saidis letters; quhairwith the said Johnne Wallace allegeit him to be chargeit, to compeir befoir his Grace and Lordis foirsaidis the first day of Februare instant, to heir and se the said mater discussit in thair presens, and the said Commissar dischargeit of all proceding thairin in tymes cuming for the caussis foirsaidis; or ellis to allege ane ressonabill caus quhy the samyn sould not be done; with certificatioun to him and he failyeit, the saidis Lordis wald proceid to the decisioun of the said mater as efferit. According to the quhilk charge, the said Johnne Wallace offerit

him reddy to schaw ane ressonabill caus quhy the said mater sould not be discussit in presens of my Lord Regentis Grace and Lordis foirsaidis; and in respect that nane comperit to persew, protestit that he wer not haldin to answer forder to the saidis letters, nor na thing procedit in the said mater be vertew of the samyn, quhill he wer newlie chargeit be utheris letters; quhilk protestatioun my Lord Regentis Grace, with avise of the saidis Lordis, admittit.

[Edinburgh, 3d February.] Caution for the toun of Craill anent the towist.

Forsamekill as oure Soverane Lord, with avise of my Lord Regentis Grace, hes gevin and disponit to the Baillies, Counsale, and Communitie of the Burgh of Craill, the towist and exactioun following, fredome and privilege thairof,—to be upliftit, ressavit and usit be thame, thair deputtis and factouris to be appointit be thame thairto in thair names, to the building of the bulwark, port, and havin of Craill for the bettir saiftie of schippis and boittis resortand thairto, and that for the space of thre yeris nixt eftir the dait of the letter maid thairupoun, quhilk is at Edinburgh the secund day of Februare instant. That is to say, twa shillingis of every tun of gudis enterand within the said port and havin of Craill at the entre thairof; twa schilling at the outpassing bayth of marchandis, fremen and unfremen and strangearis; and siclyke of every tun of fraucht at the entre thairof, xii đ.; and at thair outpassing, xii đ. Of the schippis cumand fra Norroway and utheris partis ladynnit with tymmer; of every hundrith geistis, ane; of every hundrith rauchteris, ane; of every hundrith corbettis, ane; of every hundrith wanscot, ane; of every hundrith daillis, ane; and siclyke of every sort of tymmer cumand to the said port and havin, ane, or the avale and pryce thairof, as the remanent salbe sauld. Of every chalder victuale that salbe sauld in the said port and havin of the marchand, xvi đ., and of the skippar and maister, aucht penneis; and siclyke, of all uther kynd of gudis quhilk ar usit to be disponit be chalderis, as the said letter at mair lenth proportis. Quhairfoir Johnne Adamsoun eldar, burges of Edinburgh, is becum actit and obleist, and be the tennour heirof bindis and obleissis him and his airis, that the said towst salbe convertit to the use abonewrittin and na utherwayis; and als that at the ische and outrynning of the saidis thre yeris, thay sall cum and gif accompt to the Lordis Auditouris of Chekker, bayth of the quantitie of the ressait and how the same is bestowit. And Johnne Arnot burges of Craill obleist him to releif the said Johnne Adamsoun of the premissis and of all pane and dangeare that he may incur thairthrow.

[Proclamation against eating flesh in Lentern renewed, to be in force from 20th of February to the 3d April.[1]] [Holyrood House, 9th February.]

Toun of Jedburgh.

Anent oure Soverane Lordis letters rasit at the instance of the Provest, Baillies, Counsall and Communitie of the Burgh of Jedburgh, makand mentioun.—That quhair thair parroche kirk quhilk aucht to be interteneit and uphaldin be the Abbot of Jedburgh, Persoun of the same, is partlie con-

Abbot of Jedburgh.

[1] See above, p. 337.

sumit and decayit in the rufe and tymmer thairof, and within schort proces of tyme will allutirlie decay and fall doun gif tymous remeid be not provisit thairto. And becaus the same is the saidis complenaris parroche kirk and becumis thame to se the reparatioun thairof for thair ressonabill ease at Goddis service thairin, thay can find no bettir meane to the help thairof, than that the tymmer of the Frater of the said Abbay, quhilk consumis and spillis—and the place altogidder soliter—be tane doun and set up and bestowit to the reparatioun and amendiment of the ruif and tymmer werk of thair said parroche kirk; quhilk the Abbot of the said Abbay,—albeit he sould interteny the same, he alwayis refuissis to do, expres aganis all ressoun and equitie, takand na regaird to the saidis complenaris, quha myndis dalie, God willing, to assembill in the kirk to heir Goddis word and call upoun his holy name. And anent the charge gevin to the said Andro Commendatare of Jedburgh, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to heir and se gift and licence gevin to the saidis complenaris to tak doun and intromet with the tymmer of the said Frater, to the effect the same may be bestowit upoun the reparatioun of the said Parroche Kirk for uphald thairof, or ellis to allege ane ressonabill caus quhy the samyn sould not be done; with certificatioun to him and he failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne heirintill as accordis; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, Thomas Hendirsoun burges of the said burgh of Jedburgh, comperand personalie, in name and behalf of the inhabitantis of the said burgh and parrochynnaris of the parrochyn of Jedburgh, havand thair full power and commissioun, and the said Commendatare being alsua personalie present;—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis, with consent of bayth the saidis partiis, the tymmer of the said Frater to be tane doun, and to be apprysit be twa personis to be nominat and chosin be the saidis Provest, Baillies, Counsale and Communitie of the said Burgh and uther twa personis to be nominat and chosin be the said Commendatare; and that cautioun be fundin be the saidis Provest, Baillies, Counsale and Communitie, that the samyn tymmer or the avale thairof as it salbe apprysit, with twa part alsmekill of expenssis to be upliftit of the inhabitantis of the said toun and parrochyn, salbe applyit to the reparatioun of the Croce Kirk within the said burgh, for the ease and commoditie of the people resortand thairto at precheing and prayer and na utherwayis: providing alwayis that the said Commendatare be not chargeit to mak ony forder expenssis upoun the reparatioun of the said Kirk or Queir at this present or at ony tyme heireftir, except the same be dimolissit and cassin doun be Ingland or be sic uther accident maid ruinous, that thairthrow he be subject to repair the same for his part, conforme to the Act of Parliament maid thairanent allanerlie.

[Edinburgh, 12th February.] The quhilk day Mongo Scot burges of Edinburgh become actit and obleist cautioner and souirtie, that the tymmer of the Frater of the Abbacie of Jedburgh takin doun and intromettit with be the Provest, Baillies, Counsale

and Communitie of the Burgh of Jedburgh, or the avale thairof, as it salbe apprysit, with twa part alsmekill of expenssis to be upliftit of the inhabitantis of the toun and parrochyn of Jedburgh, salbe applyit to the reparatioun and amendiment of the Croce Kirk within the same, and na utherwayis, conforme to the act and ordinance maid be my Lord Regentis Grace and Counsale thairanent.

Sederunt—Jacobus Dominus Regens. Willelmus Dominus Ruthven. Adam Episcopus Orchadensis. Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 15th February.]

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be Robert Wilsoun indwellar of Leyth, makand mentioun;—that quhair, upoun ane complaint gevin in befoir his Grace and Lordis foirsaidis, in the month of Februare the yeir of God j^{m}v^{c}lxxiii yeris, be the bairnis of umquhile Williame Fowlar burges of Edinburgh, Jonet Fokkert, and James Hathowy hir spous for his interes, aganis the said Robert Wilsoun,—thay obtenit decreit ordaning him to find cautioun actit in the bukis of Secreit Counsale, that he sould caus lowis the arreistment maid at his instance upoun the gudis and geir pertening to the saidis bairnis within the realme of France, with sic diligence as mycht be, eftir the dait of the said decreit, quhilk is the secund day of the said moneth of Februare—swa that thay, or thair factouris in thair names, mycht returne thairwith in this realme and dispone thairupoun at thair pleasour—under the pane of ane thowsand pundis, as the said decreit at mair lenth beris. According to quhilk the said Robert fand Johnne Uddart burgess of Edinburgh cautionar and souirtie for him to the effect abonewrittin, lyke as immediatlie eftir his arryvall in the said realme of France, he causit lowis the said arreistment maid upoun the saidis gudis, lyke as alsua schortlie thaireftir the said James Hathowy intromettit with the samyn gudis, and usit the same at his pleasour without impediment; as auttentik instrumentis, takin alsweill upoun the lowsing of the said arreistment as upoun his intromissioun with the saidis gudis, schawin and producit befoir my Lord Regentis Grace and Lordis foirsaidis, at mair lenth proportis; swa that ressoun now wald that the said souirtie wer relevit and the said decreit and Act simpliciter dischargeit; humelie desyrand thairfoir command to the Clerk of Counsale to deleit the said decreit and Act furth of the saidis bukis, swa that the same tuke na forder effect aganis the said Robert, nor his said souirtie, in tyme cuming. And anent the charge gevin to the said Jonet Fokkart and James Hathowy hir spous, for his interes, to compeir befoir my said Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to heir and se the desire of the said supplicatioun grantit; or ellis to schaw ane ressonabill caus in the contrair; with certificatioun to thame and thay failyeit, the said desire sould be grantit, lyke as at mair lenth is contenit in the said supplicatioun, executioun and indorsatioun thairof. The said Robert Wilsoun comperand personalie, and Robert Wilsoun. Jonet Fokkart.

the saidis Jonet Fokkart and James Hathowy being oftymes callit and not comperand; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said decreit and Act to be deleit furth of the saidis bukis, swa that the samyn have na forder strenth force nor effect aganis the said Robert Wilsoun, nor the said Johnne Uddart his cautioner abonewrittin, in tyme cuming, bot be desert for evir.

[Holyrood House, 26th February.] Colleistoun. Errole.

Anent our Soverane Lordis letters rasit at the instance of Gilbert Reid of Colleistoun, aganis Andro Erll of Errole, Johnne Lyoun in Brogane, Thomas Kemp thair, William Fordyce, Gilbert Murray, Patrik Mathe portar, James Hering, David Sym, Thomas Gray in Tulchanis, Johnne Smyth in Smiddehill, Johnne Lyoun in Brogane and Johnne Crab in Fairny, makand mentioun;—That quhair the saidis personis, upoun the x, xi, xii, xiii, xiiii, xv, xvi, xvii, xviii, xix and xx dayis of December last bipast, in the deid of winter, come to the said Gilbert Reidis landis of Colleistoun, boistit and mannassit his tenentis and servandis, and causit thame sweir not to serve him, and wald not suffer thame to pas out of the hous of Colleistoun to bring fodder and stra to the gudis, and bring meit and drink to thame selffis furth of the cuntre. And quhen thair wes sum of his servandis cumand with hors and careagis of fodder meit and drink to that effect, the saidis personis with thair complices stoppit and maid impediment to thame in the gait, dang, spuilyeit, and tuke fra thame thair stray meill and furnissing quhilk thay wer bringand to sustene his gudis and servandis, togidder with the puyr mennis pursis, plaidis, and wappynnis, and boistit thame that thay sould not cum agane; and likewyis inhibit all his awin tenentis and requeistit all utheris about that nane sould furneis or sell him or his servandis fodder, meit, or drink; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, bayth the saidis partiis comperand personalie; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, admittis the said complaint to the said Gilbertis probatioun; and for preving thairof, assignis to him the last day of Marche nix to cum; and in the menetyme continewis, etc.; and attour, ordanis letters to be direct to summond sic witnessis as he will use for preving of the samyn agane the said day, under the pane of rebellioun, etc., with certificatioun, etc.; bayth the saidis partiis warnit heirto apud acta.

[28th February.]

[William Earl of Glencairn, George Lord Seton, Sir James Balfour of Pettindreich, and Sir James Cockburne of Scraling, sureties for Johnstone of that Ilk appearing before the Council, under a penalty of £10,000.

[Edinburgh, 15th December.]

John Gordon of Lochinvar surety for the conduct abroad of Laurence Gordon, son of Alexander Bishop of Galloway.]

[Holyrood House, 22d March.]

Anent the supplicatioun presentit be Senyeour Frances of Busso knycht, to my Lord Regentis Grace and personis nominat for treating upoun the

effairis concerning the Kirk, makand mentioun;—That quhair he is summond to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, to heir him decernit to tyne his pensioun of the Bischoprick of Ross, quhilk is the haill thing he hes to leif on, gevin him be our Soverane Lordis dearest moder in recompance of his lang service and spending of his youth in this realme thir xxvi yeris bigane; and gif his pensioun be takin fra him now in his aige, but ony notour offence committit be him, he may repent that evir he servit in this realme, and the dishonour thairof will redound to the haill realme and natioun; humelie craving thairfoir, the premissis considerit, that he mycht be answerit of his said pensioun, but troubill, and he sould spend the rest of his yeris in service of the Kingis Majestie for the honour of his estait and realme, lyke as at mair lenth is contenit in the said supplicatioun. Quhilkis being red sene and considerit, my Lord Regentis Grace, with avise of the Counsall—and als with avise of the personis appointit for the effairis of the Kirk—hes, in our Soverane Lordis name, renunceit and be thir presentis renuncis the instance of the summondis abonewrittin, quhairby the said Senyeour Frances is callit to be decernit, to heir his benefice decernit to be vacand ipso facto; and upoun ressonabill caussis and considerationis, hes ordanit that he sall not be callit nor chargeit for this caus in tyme cuming; without prejudice alwayis of the thrid of the said pensioun. Senyeour Frances.

[William Lord Ruthven, Treasurer, and James Hering of Glasclone, oblige themselves that Colin McKenzie of Kintail shall keep ward in Edinburgh until relieved. Penalty £10,000.] [Holyrood House, 1st March.]

[James Earl of Argyle, in his own name and that of his wife and the other daughters of the Regent Murray, delivers certain crown jewels.[1]] [Holyrood House, 5th March.] Erll of Ergyle presentit the Jowellis.

[1] This minute is printed at length in an appendix to the Statutes of the meeting of the Estates, beginning 30th April 1573.

In the same appendix, are printed in full from the Register of the Privy Council at this point, in the order in which they stand in that Register, the minutes having the rubrics following:—

"Anent schuitting and bering of culveringis and daggis."

"To consider the Erll of Murrayis dettis."

"Anent the making of irnis and stokkis for punisement of offendouris, and bigging and reparatioun of common presonis."

"Anent the punysment of strong and ydle beggars, and provision for sustentatioun of the puyr and impotent."

"Anent the constitutioun of the policie of the Kirk."

"Anent the richting, collectioun and reformatioun of the lawis of this realme."

"Anent the taking in agane of our Soverane Lordis propirtie to his Hienes use."

"Anent the thriddis of benefices to be still chargit for and payit as of befoir, quhill farder ordour be takin in the constitution and establishing of the ecclesiastical policy."

"Anent the dispositioun of Nunnreis and Abbayis."

"That the Advocat pursue the Mr. of Uchiltre."

"Anent making of wapinshawings."

"Anent the crying doun of new plakkis and hardheids."

"Anent the careing of salt forth of the realme."

The last entry in the appendix is a short Act without a rubric, enjoining the coining of the gold in the country instead of treating it as merchandise.—Act. Parl. Scot. iii. 84-94.

[Holyrood House, 8th March.]

Sederunt.—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Joannes Comes de Montroise. Hugo Comes de Eglintoun. Gilbertus Comes de Cassillis. Andreas Comes de Rothes. Robertus Dominus Boyd. Laurencius Dominus Oliphant. Joannes Dominus Hereis. Episcopus Dunkeldensis. Dunfermling. Newbottill.

Anent the taxatioun.

Forsamekill as for making and sustening of certane chargeis and expenssis maid at the baptisme of oure Soverane Lord, thair wes ane taxatioun of xii^{m} ℔. ordanit to be upliftit of the Estaittis in maner following: that is to say, sex thowsand pundis of the Spirituall Estate; four thowsand pundis of the Barronis and Frehaldaris; and twa thowsand pundis of the Burrowis: in compleit payment of the said sowme of xii^{m} ℔. And for inbringing of the Baronis and Frehaldaris part, it wes ordanit that thair sould be upliftit of every pund land of auld extent within this realme iiii ß.,—oure Soverane Lordis propirtie and kirkland pertening to the Kirk being exceptit; for payment quhairof letters wer direct quhairwith thir personis underwrittin wer chargeit,—thay ar to say, Gilbert Erll of Cassillis Baillie of Carrik, Hew Erll of Eglintoun Baillie of Cunynghame, George Erll of Huntlie, Shereffis of the Sherefdomes of Invernes and Abirdene, Johnne Lord Hereis Stewart Wardatour for the tyme of Kirkcudbrycht and Annanderdaill, and James Stewart Sheref of Bute,—to raise and uplift the said sowme of iiii ß. of every pund land of auld extent, ilkane within the boundis of thair offices, except abone exceptit; and to inbring and deliver the samyn to umquhile Sir Symon Prestoun of that Ilk knycht, collectour generall appointit for the ressait of the said haill sowme, betuix the dait of the saidis letters,—quhilk is at Edinburgh the sext day of October the yeir of God j^{m}v^{c}lxvi yeris,—and the xxv day of December nixt thaireftir, as the saidis letters beris. And becaus the foirsaidis personis maid na payment of thair partis of the said taxt to the said umquhile Sir Symon in his tyme, nor yit sensyne to David Prestoun of that Ilk his sone and air, upoun complaint maid thairupoun, quhairunto thay wer warnit to answer; and being personalie present, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, hes ordanit and ordanis thame, of thair awin consentis, to use diligence for inbringing and delivering to the said David Prestoun of the said sowme of iiii ß. of every pund land of auld extent, within the boundis of thair offices respective, betuix the dait heirof and the Feist of Witsonday nix to cum; and for thair releif, ordanis letters to be direct, chargeing all and sindry Lordis, Baronis, and Frehaldaris, within the saidis boundis, to mak payment and delivery to the saidis Shereffis, Stewart and Baillies, ilkane within thair awin boundis, of the said sowme of iiii ß. of every pund land, within ten dayis nixt eftir thay be chargeit thairto, under the pane of rebellioun; and gif thay failye thairin, the saidis ten dayis being bipast, to denunce, etc., and gif neid be to poind and distrenye thairfoir, and that the saidis Lordis, Baronis and Frehaldaris

have siclyke letters for thair releif aganis ladiis of terce, lyverentaris, conjunct fearis, and subwassellis.

Anent the actioun and caus intentit and persewit be Laurence Lord Oliphant aganis George Erll of Caithnes, and als Williame Lord Ruthven Thesaurare to our Soverane Lord, and Maister David Borthuik of Lochill his Majesteis advocat for thair interess,—tuicheing the productioun, suspensioun, and discharge, of ane precept or letter of horning execute aganis the said Lord Oliphant, with the executionis and indorsationis thairof, for certane ressonis and caussis mentionat and contenit in the principall summondis rasit thairupoun; quhilkis being callit.—The said Lord Oliphant comperand personalie with Mr. Johnne Scharp his prelocutor, and the said George Erll of Caithnes comperand be Maister Clement Littill his procuratour, and the saidis Thesaurare and Advocat being alsua personalie present; the said Maister Clement Littill producit actis of the Justice Courtis haldin at Thurso be the said George Erll of Caithnes heretabill Justice in that part, upoun the penult day of August and last day of October, the yeir of God j^{m}v^{c}lxix yeris, ordinand the souirteis fund of befoir for the said Lord Oliphantis comperance at the samyn dayis to be unlawit, in respect of his non comperance; and als to denunce him our Soverane Lordis rebell and put him to the horne; and siclyke producit the indorsatioun of the executioun of the said horning subscrivit be Williame Mansoun officiar executor thairof; upoun the productioun quhairof the said Maister Johnne Scharp askit instrumentis. Lord Oliphant. Caithnes.

Sederunt—Domini ut in die predicto. [Holyrood House, 9th March.]

Anent oure Soverane Lordis letters rasit at the instance of James Creichtoun of Carco, maister to Thomas Davidsoun and Niniane Clerk, indwellaris in Carco, his tenentis, makand mentioun;—That quhair William Creichtoun tutour of Sanquhar, at his awin hand without sufficient power or authoritie grantit to him, laitlie in the moneth of Januare last bipast, of verie malice and hatrent consavit aganis thame for thair said maisteris caus, hes takin the said Thomas Davidsoun and Niniane Clerk furth of thair awin malingis and houssis without ony complaint maid on thame be quhatsumevir partis, and for na recent crymes committit be thame had and convoyit thame as captivis and presonaris to the said Castell of Sanquhair, quhair hé detenis thame in captivitie and presoun, and will na wayis let thame to libertie, they beand our Soverane Lordis fre liegis, without thay be compellit. And anent the charge gevin to the said Williame Creichtoun tutour of Sanquhair, to freith, releif, and put the saidis Thomas Davidsoun and Niniane Clerk to libertie and fredome, and suffer thame to pas to and fra as oure Soverane Lordis fre liegis at thair pleasour in tyme cuming, within xxiiii houris nixt eftir the charge; or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun the thrid day nixt eftir the said charge, and schawin ane ressonabill caus quhy he sould not do the samyn; James Creichtoun of Carco. Tutour of Sanquhair.

with certificatioun to him and he failyeit, utheris letters sould be direct chargeing him simpliciter thairto, as at mair lenth is contenit in the saidis letters, executionis and indorsatioun thairof. The said James Creichtoun comperand personalie for himself, and in name of his saidis servandis; and the said Williamē Creichtoun being oftymes callit and not comperand. My Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis letters to be direct, chargeing the said Williane Creichtoun, to freith, releif, and put the saidis Thomas Davidsoun and Niniane Clerk to libertie and fredome, and suffer thame to pas to and fra as our Soverane Lordis fre liegis in tyme cuming, within thre dayis nixt eftir the charge, under the pane of rebellioun; and gif he failyeis to denunce, etc.

Barclay fear of Perstoun.

Anent oure Soverane Lordis letters rasit at the instance of Williame Barclay fear of Perstoun, makand mentioun;—That quhair he obtenit ane decreit befoir the Lordis of Counsale and Sessioun, with letters in the four formes thairupoun, quhairwith he causit charge Margaret Cunynhame relict of umquhile Maister David Barclay in Drummare and Williame Lyn now hir spous for his interes, to flit and remove thameselffis, thair servandis, subtenentis, cottaris and gudis fra xlvi s. land and aucht penny worth of land of auld extent of Drummure, with the pertinentis liand in the parrochyn of Perstoun, baillierie of Cunynghame and sherefdome of Air. [Follows a statement for supporting a claim of private right.]

Margaret Cunynghame and hir spous.

[Holyrood House, 15th March.] Caution for M°Kenze.

[William Douglas of Lochleven and James Scrimgeor of Dudhope Constable of Dundee sureties that Colin M°Kenzie of Kintail shall appear before the Council when required, under a penalty of £10,000; and in respect of the caution now found, all the sureties formerly found by M°Kenzie as to his remaining in ward in Edinburgh are discharged; Patrick Lord Lindsay of the Byres obliges him to relieve Douglas of Lochleven.]

[Holyrood House, 16th March.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Joannes Comes de Montroise. Gilbertus Comes de Cassillis. Willelmus Dominus Ruthven. Laurentius Dominus Oliphant. Robertus Dominus Boyd. Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus.

Cathcart.

Keiris.

The quhilk day, anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be David Cathcart, makand mentioun;—That quhair Johnne Schaw of Keiris, for nonanswering, obeying and payment making to the said David, his factouris and servitouris in his name, of certane teindis and utheris dewiteis of the vicarage of Dalmellingtoun, of the crop and yeir of God j^{m}v^{c}lxxiii yeris, wes ordourlie denunceit our Soverane Lordis rebell and put to the horne, be vertew of letters in the four formes past upon ane decreit of the Lordis of Counsale and Sessioun, as the samyn letters with the executionis thairof beris. And becaus the

said Johnne remanit at the said proces of horne, takand na regaird thairof, the said David menit him to my Lord Regentis Grace and Lordis of Secreit Counsale, and be thair deliverance obtenit letters, chargeing the Sheref of Air, Baillies of Kyle, Carrik, and Cunynghame, and thair deputtis, to pas, serche seik tak and apprehend the said Johnne Schaw rebell foirsaid quhairevir he mycht be apprehendit; and to bring and present him befoir the Justice or his deputtis to be puneist for his demerittis, conforme to the lawis of this realme, within ten dayis nixt eftir the charge, under the pane of tinsell of thair offices; quhilkis letters being execute upoun the saidis Sheref and Baillies upoun the last day of September, first and secund dayis of October last bipast, thay have nochtwithstanding contempnandlie dissobeyit, as the samyn letters with the executionis thairof schawin and producit befoir my Lord Regentis Grace and Lordis of Secreit Counsale beris. Quhilkis, with the said complaint, being red sene and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the saidis Shereff of Air and Baillies of Kyle, Carrik, and Cunynghame, to compeir befoir his Grace and Lordis foirsaidis the day of Apryle nix to cum, to heir and se thame and ilkane of thame decernit to have tynt thair saidis offices, and the samyn to becum in our Soverane Lordis handis and at his Hienes dispositioun for the caussis foirsaidis and utheris to be proponit and allegeit be the said David Cathcart, and als be our Soverane Lordis advocattis for his maisteris interes; or ellis to schaw ane ressonabill caus, etc., with certificatioun to thame and thay failye, thay salbe decernit to tyne thair saidis offices, and the samyn to vaik and to be at our Soverane Lordis dispositioun as said is, conforme to the lawis of this realme and justice.

Forsamekle as the Nobilitie and Estaittis laitlie convenit hes prescrivit a certane ordour anent the furnissing of this cuntre with small salt in tyme cuming, and transporting of the rest to the partis beyond sey for the commoditie and advantage of the laboureris of the samyn.[1] And to the effect thay sall pretend na ignorance thairof, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and charge the haill pan maisteris of Prestounpannis, Grantoun, Barrestounes, Culross, Fordell, Crummy, Kirkcaldy, Dysert, Wemys, and Pettinweme, be oppin proclamatioun at the marcat croces of the samyn, and utheris places neidfull, that thay be thame selffis or thair commissionaris sufficientlie authorizit, with commissoun subscrivit with all thair handis, ilk Toun be itself, compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun Mononday nixt the xxi day of Marche instant, to the effect that the said ordour may be prescrivit unto thame, and thay to ressave and aggre thairunto, and to mak securitie thairupoun as efferis; certifeing thame that comperis not and ressavis not the said ordour as said is, that the samyn sall not be grantit to thame heireftir, bot the Act of Parliament

Anent the salt.

[1] Act. Parl. Scot. iii. 93.

prohibiting the transporting of salt sall tak effect and be put to executioun aganis thame, with all extremitie.

[Holyrood House, 23d March.]

Sederunt—Jacobus Dominus Regens. Comes Ergadie. Gilbertus Comes de Cassillis. Robertus Dominus Boyd. Allanus Dominus Cathcart. Clericus Registri. Clericus Justiciarie. Advocatus.

Anent the towst of Dunde.

Forsamekle as oure Soverane Lord, with avise of the Regentis Grace, hes gevin and grantit his Hienes licence and privilege under the Prevy Seill, to the Provest Baillies and Communitie of the Burgh of Dunde, to raise and uplift a certane towst and impositioun of every schip, veschell, and gudis alsweill out passand as in cumand at the port and havin of Dunde; and that for bigging and reparatioun of the schoir peir and bulwark of the samyn, as the said lettre maid thairupoun at mair lenth proportis, quhilk is ordanit to induir for the space of thre yeris nixt eftir the dait thairof. Quhairfoir and to the effect that the samyn may the bettir tak executioun alsweill in the diligent and uprycht rasing and uptaking of the said towst and impositioun, as in the faythful waring and employment of the same upoun the bigging and reparing of the said werk, for the weill and commoditie of the said burgh and strangearis resortand thairto, or to sic uther gude use and werk as oure Soverane Lord and his said Regent sall think convenient to bestow samekill of the same upoun, as sal happin to rest and be superplus, attour the bigging, mending, and reparatioun of the said schoir and pier of Dunde. The Regentis Grace, with avise of the Lordis of Secreit Counsale, hes nominat, appointit, and ordanit, and be thir presentis, nominatis, appointis, and ordanis Auchinlek of that Ilk, to attend and se the collecting and uptaking of the said towist trewlie and diligentlie, as alsua to se the same faythfullie employit or kepit in maner and to the effect befoir specifiit, frelie without ony fe or dewitie to be takin or retenit be him of the said towist to his awin use and behuif thairfoir, compt and reknyng thairupoun in the Chekker at the end of the saidis thre yeris to mak and gif; to the end that gif than the said towist and impositioun sal happin to extend to ony greittar sowme nor sall big, mend, and repair the said schoir and peir, the superplus for quhilk he salbe haldin to answer, may be answerabill and furthcumand to be applyit to sic uther gude werkis as our Soverane Lord and his said Regent sall command.

Blair Alves.

The quhilk day, anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Blair Alves burges of Elgin, makand mentioun;—That quhair umquhile Issobell Davidsoun his spous, being visite with deidlie seiknes and infirmitie in the moneth of Merche, the yeir of God j^{m}v^{c}lxxiii yeris, send for Alexander Winsister minister at the Kirk of Elgin, to cum and visite hir, and eftir his cuming being desyrit to mak hir testament by hir awin

Winsister.

devyise, he than refusit, onles schö wald mak the samyn as he devysit, and leif sic legaceis as he desyrit to be left; and swa than departit and maid na inventure nor testament nayther of gudis nor legaceis, as the personis present will testifie. Nevirtheles, the said Alexander at his awin hand, without ony devyise or command of the said umquhile Issobell, hes maid and gevin furth ane pretendit inventure and testament subscrivit be him without ony witnessis contenit thairin, berand the said Blais umquhile spous to have left in legacie divers sowmes of money and gudis to sindry personis, quhilkis of trewth wer nevir left be hir, nor na mentioun maid thairof in hir tyme. And under pretens and cullour of the same pretendit legaceis, the personis to quhome the same is allegeit to be left hes maist havelie sutit and troublit him thairfoir, and causit poind his gudis for the same, and put him thairthrow to greit skayth; and the samyn pretendit inventure is maid and divisit be the said Alexander in hurt of the said Blais, to put him to troubill, thair beand na nomination of executouris, nor yit ony witnessis contenit thairin. And albeit the said Alexander is ordanit be George Bischop of Murray and eldaris of the Kirk of Elgin, to have deliverit to the said Blais the said inventure and testament, with the witnessis contenit thairin, he hes allutirlie refusit to do the same, nochtwithstanding the said ordinance—quhilk is odious and aganis all gude conscience specialie in him that beris charge in the Kirk. And anent the charge gevin to the said Alexander Winsister, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaint under the pane of rebellioun, etc., with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the said complaint and executioun thairof. Quhilkis being callit, bayth the saidis partiis comperand personalie, the said Alexander Winsister confessit the making of the said testament, and that as he allegeit be the said umquhile Issobellis awin devyis quhairin na witnessis wes insert; nayther wes he in use of inserting of witnessis in ony testament maid be him, bot at all tymes gevin furth be him without witnes, except at desire of partie he wer utherwayis requirit. Quhilk answer, with certane utheris ressonis and allegationis, being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, findis the said Alexander forme of proceding in maner foirsaid verie inordourlie aganis the dalie practik and consuetude of this realme observit in sic caissis, and not worthy of fayth; and thairfoir decernis and ordanis the said inventure and testament maid be him to have bene fra the begynning and to be in all tymes cuming null, and of nane avale force nor effect, and to have na fayth in jugement nor outwith quhairevir it beis produceit; and in caise ony gudis and geir contenit thairin be alreddy intromettit with be vertew thairof, or be decreittis of the Provest and Baillies of the burgh of Elgin passing thairupoun, or utheris jugeis quhatsumevir,—ordanis the saidis juge or jugeis to caus the intromettouris restoir and deliver the same agane to the behuif of the partiis havand rycht and interes thairto, as gif the said

inventure or testament had not bene maid; and attour, ordanis George Bischop of Murray to caus the said Alexander content and pay to the said Blais the coistis and expenssis sustenit be him heirthrow at the said Bischoppis awin sicht and modificatioun; and utherwayis to puneis the said Alexander, as his forme of doing in maner foirsaid move na sklander to the Kirk of God, seing he is a minister, as he will answer to God and our Soverane Lord thairupoun.

[Edinburgh, 25th March.] [John Wilson, skinner, burgess of Edinburgh, becomes cautioner that Gothray Clerk indwellar of Edinburgh, shall bring all the silver, broken and whole, which he may buy to the Master Cunyeor for the King's use, receiving for the same the price of the cunyiehouse.]

[Edinburgh, 26th March.] [Colin Earl of Argyle and Robert Monro of Foulis sureties that Rory M^cKenzie, brother-german of Colin M^cKenzie of Kintail, shall return to the Regent a band of Walter Urquhart, Sheriff of Cromarty, John Grant of Frewchy, and Hucheon Rose, baron of Kilrawak, obliging them to enter the said Rory before the Council when required, and that he shall in the meantime keep good rule in the country.]

[Holyrood House, 31st March.] Anent the Salt. Forsamekle as my Lord Regentis Grace, with avise of the Nobilitie and Estaittis laitlie convenit, hes prescrivit a certane ordour how this realme salbe sufficientlie furneist of small salt in tyme cuming upoun ressonabill pryces, and the rest to be transportit to the partis beyond sey for the commoditie and advantage of the laboureris; quhilk ordour the pan maisteris of Prestoun, Dysert, and Kirkcaldy hes aggreit unto and fund securitie thairupoun as efferis; quhairthrow as libertie is grantit to thame to dispone upoun thair salt attour that thing necessar for furnissing of the cuntre, sa aucht not the pan maisteris of utheris rowmes and places enjoy the lyke libertie unto the tyme thay first acceptit the conditionis of the said ordour, and find the lyke securitie for observatioun and performance thairof; and thairfoir ordanis letters to be direct, chargeing the pan maisteris of Grantoun, Barrestounes, Culross, Fordell, Crummy, Wemys, and Pettinweme, be oppin proclamatioun within the townis of the samyn, that nane of thame tak upoun hand to sell ony quantitie of salt maid at thair pannis to be transportit furth of this realme, unto the tyme thay, be thame selffis or thair commissionaris sufficientlie authorizit with commissioun subscrivit with all thair handis, compeir in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, and accept the conditionis of the said ordour and find securitie thairupoun as said is; and als to command and charge all and sindry our Soverane Lordis lieges, that nane of thame tak upoun hand to by to be transportit or transport ony salt maid at the foirsaidis pannis, be vertew of ony licencis ellis grantit or utherwayis, under the pane of confiscatioun of all thair movabill gudis, alsweill the byar as sellar, to our Soverane Lordis use; certifeing thame that dois in the

contrair that thair haill gudis and geir slabe confiscat and intromettit with, and thame selffis puneist in thair personis as efferis.

[Patrick Lord Lindsay of the Byres surety that Alexander Ross of Balnagoun, shall return by 1st June next to the Regent, a band of Hew Lord Lovett John Grant of Freuchy Colin M^{c}Kenzie of Kintail and John Campbell of Caddell, obliging them to present before the Council Alexander Ross when required. Penalty £10,000.] [Byris, 10th April.]

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Maister Henry Balfour advocat, and gaif in thir bandis and obligationis underwrittin, and desyrit the samyn to be actit and registrat in the bukis of Secreit Counsale, and to have the strenth of actis and decreittis of the Lordis thairof, and letters and executoriallis to be direct thairupoun in forme as efferis; quhilk desire the saidis Lordis finding ressonabill, hes ordanit the samyn bandis to be registrat in the saidis bukis to the effect foirsaid; of the quhilkis the tennouris followis. I, Johnne Grant of Fruchy; forsamekill as it hes plesit ane nobill and michtie Prince, James Erll of Mortoun Lord Dalkeyth, Regent to our Soverane Lord, his realme and liegis, at the ernist desire and requeist of Donald Makangus Makallister of Glengarre, to put Alexander Betoun, now being in ward, at libertie, upoun cautioun that he sall reentir agane in ward upoun fourty dayis warning, howsone he salbe requirit be the said Regent, under the pane of twa thowsand merkis; thairfoir I, the said Johnne Grant, be the tennour heirof, at the desire of the said Lard of Glengarrie, becumis cautioun and souirtie to entir the said Alexander agane in ward within the Castell of Blaknes upoun the premonitioun foirsaid, or ellis I sall present him befoir my Lord Regentis Grace, to answer for sic thingis as he is now wardit for; and gif I failye in entering of the said Alexander Betoun in the said ward, or that I present him not afoir my Lord Regentis Grace, I being lauchfullie warnit as said is, I obleis me and my airis to pay the said sowme; and we, the said Laird of Glengarrie and Alexander Betoun, obleissis us, conjunctlie and severalie, to warrand, releif and keip the said Johnne Grant skaythles of the haill premissis, and that the said Alexander salbe enterit and presentit as said is; and heirto we obleissis us, our airis, executouris and assignayis; and we, the said Johnne Grant, Donald Makangus Makallister, and Alexander Betoun, consentis and ar content that this present band and obligatioun be actit and registrat in the bukis of Secreit Counsale; and for registering of the samyn, makis, constitutis and ordanis Maisteris Henry Balfour, Richert Strang, Robert Creichtoun, and ilkane of thame, conjunctlie and severalie, oure procuratouris, to compeir and consent to the registring heirof, be thir presentis. Subscrivit with our handis at Edinburgh, Blaknes, and respective, the xx and xxi day of Apryle, the yeir of God j^{m}v^{c}lxxv yeris, befoir thir witnessis, Maister Henry Balfour, Alexander Stewart capitane of the Blaknes, and James Herwy. [Holyrood House, 24th April.] Bandis for Alexander Betoun.

Sic subscribitur: Johnne Grant of Fruquhy. Donald M^c^Angus M^c^Alester of Glengarrie. Alexander Betoun, with my hand.

I, Johnne Betoun, younger, fear of Capildra; forsamekill as it hes plesit ane nobill and michtie Prince, James Erll of Mortoun Lord of Dalkeyth, Regent to our Soverane Lord, his realme and liegis, at the ernist desire and requeist of Donald M^c^Angus M^c^Allister of Glengarrie, to put Alexander Betoun, now being in ward, at libertie, upoun cautioun that he sall re-entir agane in ward upoun fourty dayis warning, howsone he salbe requirit be the said Regent, under the pane of the sowme of ane thowsand merkis. Thairfoir I, the said Johnne Betoun, be the tennour heirof, at the desire of the said Laird of Glengarrie, becumis cautioun and souirtie to entir the said Alexander agane within the Castell of Blaknes upoun the premunitioun foirsaid; or ellis I sall present him befoir my Lord Regentis Grace, to answer for sic thingis as he is wardit now for; and gif I failye in entering of the said Alexander Betoun within the said ward, or that I present him not to my Lord Regentis Grace agane, I being lauchfullie warnit as said is, I obleis me and my airis to pay the said sowme of ane thowsand merkis; and we, the said Laird of Glengarrie, Maister Henry Balfour, and Alexander Betoun, obleissis us, conjunctlie and severalie, to warrand, releif and keip the said Johnne skaythles, and that the said Alexander salbe enterit and presentit as said is; and heirto we obleis us, our airis, executouris and assignayis. And we, the said Laird of Glengarrie and Alexander Betoun, obleissis us, conjunctlie and severalie, to warrand, releif and keip skaythles the said Maister Henry, Advocat, of the haill premissis; and we, the saidis Johnne Betoun, the said Donald M^c^Angus M^c^Allester, Mr. Henry Balfour and Alexander Betoun, consentis and ar content that this present band, contract and obligatioun be actit and registrat in the bukis of Secreit Counsale; and for registring of the samyn, makis, constitutis and ordanis Mr. Richard Strang, Mr. Henry Balfour and Mr. Robert Creichtoun, and ilkane of thame, conjunctlie and severalie, to compeir and consent to the registring heirof, be thir presentis subscrivit with our handis, at Edinburgh, Blaknes, respective, the xxi and xxii dayis of Apryle, the yeir of God j^m^v^c^lxxv yeris, befoir thir witnessis, Mr. Richard Strang, Johnne Govane, Alexander Stewart capitane of the Blaknes, and James Harvy. Sic subscribitur: Johnne Betoun. Donald M^c^Angus M^c^Allester of Glengarrie.

I, Patrik Dunbar of Cumnok; forsamekill as it hes plesit ane nobill and michtie Prince, James Erll of Mortoun Lord of Dalkeyth, Regent to our Soverane Lord, his realme and liegis,—at the ernist desire and requeist of Donald M^c^Angus M^c^Allester of Glengarrie,—to put Alexander Betoun, now being in ward, at libertie, upoun cautioun that he sall entir agane in ward upoun fourty dayis warning, howsone he salbe requirit be the said Regent, under the pane of the sowme of twa thowsand merkis; thairfoir I, the said Patrik Dunbar, be the tennour heirof, at the desire of the said Laird of Glengarrie, becumis cautioun and souirtie to entir the said Alexander agane in ward within the Castell of Blaknes upoun the premonitioun foirsaid; or ellis I sall present him befoir my Lord Regentis Grace to

answer for sic thingis as he is now wardit for; and gif I failye in entering of the said Alexander Betoun in the said ward, or that I present him not agane to my Lord Regentis Grace, I being lauchfullie warnit as said is, I obleis me and my airis to pay the sowme of ane thowsand merkis; and we, the said Laird of Glengarrie, Mr. Henry Balfour advocat, and Alexander Betoun, obleissis us, our airis, conjunctlie and severalie, to warrand and keip the said Patrik skaythles of the haill premissis, and that the said Alexander salbe enterit and presentit as said is; and siclyke, we the saidis Laird of Glengarrie and Alexander Betoun, obleissis us, conjunctlie and severalie, to warrand the said Mr. Henry of the premissis; and heirto we obleis us, our airis, executouris and assignayis; and we, the said Patrik Dunbar, Donald M^{c}Angus M^{c}Allester, Mr. Henry Balfour advocat, and Alexander Betoun, consentis and ar content, that this present band and obligatioun be actit and registrat in the bukis of Secreit Counsall; and for registring of the samyn, makis, constitutis and ordanis Mr. Henry Balfour advocat, Maister Richert Strang, Mr. Robert Creichtoun, and ilkane of thame, conjunctlie and severalie, to compeir and to consent to the registring heirof; be thir presentis subscrivit with oure handis at Edinburgh and Blacknes respective, the xxi and xxii dayis of Apryle, the yeir of God j^{m}v^{c}lxxv yeris, befoir thir witnessis, Alexander Stewart capitane of the Blaknes, Johnne Davidsoun burges of Edinburgh, James Harvy. Sic subscribitur: Patrik Dunbar of Cumnok. Donald M^{c}Angus M^{c}Allester of Glengarrie. Alexander Betoun, with my hand.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Patricius Dominus Lindesay. Robertus Dominus Boyd. Commendatarius de Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 25th April.]

Anent oure Soverane Lordis letters direct, makand mentioun.—Forsamekill as it being complenit be Robert Fraser in Overtoun, that quhair in Marche last he wes wranguslie fylit in ane bill for thre hors allegit pertening to Sir George Heroun Englishman, upoun declaratioun of Johnne Edmestoun of that Ilk, quha compering befoir my Lord Regentis Grace and Lordis of Secreit Counsale, declarit that he had justlie fylit the said bill, and gif it wer provin to be utherwayis, he sould refound and pay the same agane; and the said Laird of Overtoun being alsua in the presence of my said Lord Regentis Grace; remittit the tryell thairof to Thomas Turnbull of Badroule, George Rutherfurde of Hunthill, Richard Rutherfurde of Edyarstoun, Williame Dowglas in Fairnyhirst, and Jok Turnbull in Gaithous Cott; quhilkis personis the said Laird of Edmestoun acceptit, and submittit him to thair declaratioun and to be tryit be thame in the said mater. And anent the charge gevin to the saidis Thomas Turnbull, George Rutherfurde, Richard Rutherfurde, Williame Dowglas, and Jok Turnbull, to compeir personalie befoir my said Lord Regentis Grace and Lordis of Secreit Counsale, at ane certane day bipast, to gif thair trew Fraser of Overtoun. Edmestoun.

declaratioun in the said mater in sa far as thay knew or sould be sperit at thame, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, thay sould be denunceit rebellis and put to the horne; lyke as at mair lenth is contenit in the saidis letters, executionis and indorsatioun thairof. Quhilkis being callit, and the foirsaidis personis comperand all personalie, and being examinat in presens of my said Lord Regentis Grace and Counsale, hes be thair depositionis clengeit and acquit the said Robert Fraser thortout of the said bill quhairthrow be the lawis and practik observit on the Bordouris—as alsua in respect of the said Johnne Edmestonis appointing of the said acquittance, my Lord Regentis Grace, with avise of the saidis Lordis, findis that he aucht and sould warrand and releif our Soverane Lord and his Hienes Wardane, and als the said Robert Fraser, of the said bill; and thairfoir ordanis letters to be direct, chargeing the said Johnne Edmestoun to warrand and releif our Soverane Lord and his Hienes Wardane, and siclyke the said Robert Fraser, of the said bill at the handis of the opposit Wardane and utheris havand entres thairto, at the nixt day of trew, appointit to mak deliverance thairfoir, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the said day being bipast, to denunce him rebell and put him to the horne, and to escheit: without prejudice alwayis to the said Johnne to sute his releif of the personis quhatsumevir fowle of the said bill as efferis, conforme to the ordour observit in sic caissis.

[Edinburgh, 3d May.] Forsamekle as it is understand to my Lord Regentis Grace, that thair is divers schippis, barkis and crayaris dalie ladin, up in the narrow watter of the Firth of Forth, at the Powis of Alloway, Auch, Carroun Mowth, and sic uther partis quhair na schippis usit to tak in thair full laidynning of befoir; quhairthrow bayth forbodin gudis and unfremennis gudis ar continewalie takin in and transportit out of the realme, to the greit hurt of the commoun weill and defraude of our Soverane Lordis custumis; for remeid quhairof his Grace hes thocht necessar and expedient, that the schip or schippis now laidning, or that sal happin be laidin heireftir, in the saidis narrow watteris, salbe brocht to the havin and port of Leyth, thair to present thair interes or prevy cokquet to Patrik Bellenden of Stanehous, principall clerk of Edinburgh, or his deputtis, and to be sercheit be thame and ressave a generall cokquet of thame, berand thair haill laidynning de claro, under the pane of escheting of the schippis and gudis doand in the contrair; and that letters be direct to officiaris of armes for publicatioun heirof, that nane pretend ignorance of the same. And alsua, als oft as thay salbe requirit be the said Patrik or his deputtis, to serche, seik, arreist, escheit, and inbring sic unlefull forbiddin uncustumat and unfremennis gudis as sal happin to be apprehendit offending in contrair the tennour of the premissis, to oure Soverane Lordis use; and this during the will of his Hienes and his said Regent to induir.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Andreas Comes de Rothes. Willelmus Dominus Ruthven Thesaurarius. Patricius Dominus Lindesay. Laurentius Dominus Oliphant. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 6th May.]

Anent the charge gevin be vertew of oure Soverane Lordis letters, to Williame Drummond of Balloch, George Drummond his sone and apperand air, to have brocht and presentit personalie Margaret Scott and Issobell Scott, lauchfull dochteris and apperand airis of umquhile Patrik Scott of Monye, befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to the effect thay mycht have answerit to sic thingis as sould haif bene inquirit of thame at thair cuming, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit upoun the xxv day of Apryle last bipast, and the said Williame comperand be Maister Henry Kinross his procuratour, and the said George be Maister Johnne Scharp his procuratour; the said Maister Johnne confessit and declarit that the saidis Margaret and Issobell wer in the cumpany and remaning of the said George, and nochtwithstanding mycht not bring and present thame, conforme to the said charge, be ressoun he wes the tyme of the same charge and continewalie sensyne visiit with seiknes and lyand bedfast; and for verifeing thairof producit ane testimoniall of the minister of Glammis. And forder allegeit that the said George obtenit, be gift of oure Soverane Lordis moder, the mariage of umquhile Petir Scott, sone and air of the said umquhile Patrik; and failyeing of him be deceis unmareit, the mariage of ony uther air or airis, maill or famell, that sould happin to succeid to him in his landis and heretage. And the said umquhile Petir being deceissit, and the saidis Margaret and Issobell succedand as airis famell, that thairfoir thair mariage appertenit to him be vertew of the said gift, and swa sould not now be haldin to present thame as said is; to the quhilk it wes answerit be Mr. David Borthuik, advocat to our Soverane Lord, in his Majesteis name, that the said gift could not stop the exhibitioun of fre personis takin and detenit aganis thair willis as he allegeit, becaus his Hienes hes that privilege, evir to seik exhibitioun of ony of his fre subjectis upoun ony caus moving his Majestie. Quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis, assignit the fyft day of Maii instant to the said George, to bring and present the saidis Margaret and Issobell personalie, yit as of befoir, befoir my said Lord Regentis Grace and Counsall, in the same state and conditioun thay wer in the tyme of the charge geving, quhilk wes upoun the xx day of Apryle last bipast; with certificatioun to him and he failyeit, he sould be denunceit rebell and put to the horne. At the quhilk day the said George being oftymes callit and he not comperand, George Drummond.

nor yit the saidis Margaret and Issobell being presentit, conforme to the said charge, my Lord Regentis Grace thairfoir, with avise of the saidis Lordis of Secreit Counsale, ordanis letters to be direct to denunce the said George our Soverane Lordis rebell and put him to the horne, and to escheit, etc.

Achesoun. Anent the actioun and caus intentit and persewit be Johnne Achesoun maister of oure Soverane Lordis Cunye, and of Jonet Skymmer relict, and Johnne Aslowane sone lauchfull and executour to umquhile Johnne Aslowane burges of Edinburgh, and Richard Abircrumby alsua burges thairof now spous to the said Jonet, for his interes, aganis Robert Ker and Johnne Johnnestoun callit of the Coittis siclyke burgessis of the said burgh, and Johnne Erll of Atholl Lord of Balvany for his interes gif he ony hes, and Maisteris David Borthuik and Robert Creichtoun of Elyok, advocattis to our Soverane Lord for thair interessis, for productioun and reductioun of ane decreit gevin be the Quene our Soverane Lordis moderis Secreit Counsall, in favouris of the said Johnne Erle of Atholl, Johnne Johnnestoun, and Robert Ker, aganis the saidis complenaris, tuicheing the leid ure of the mynis of Glengonar and Wenlok, for certane ressonis and causis specifiit and contenit in the principall summondis rasit thairupoun, as the samyn and executionis thairof at mair lenth proportis. Quhilkis being callit, the said Richard Abircrumby comperand personalie for himself and the remanent his collegis abonewrittin, and the saidis Robert Ker, Johnne Johnnestoun, Johnne Erll of Atholl, and als the saidis Advocattis being oftymes callit and not comperand; the Lordis of Secreit Counsale hes continewit and continewis the said mater, in the same forme force and effect as it is now, but prejudice of partie, unto the xii day of Junii nix to cum, with continewatioun of dayis; and ordanis letters to be direct, chargeing the saidis Robert Ker, Johnne Johnnestoun and Maister Thomas Craig procuratour, ressavit and admittit of befoir for the said Johnne Erll of Atholl, to compeir befoir my Lord Regentis Grace and Lordis foirsaidis the said day, with continewatioun of dayis, bringand and produceand with thame the said decreit, togidder with the principall supplicatioun or complaint quhairupoun the same procedit, with all and sindry allegeances, defenssis and answeris proponit be ayther of the saidis partiis in the said mater specifiit and contenit in the said principall summondis, to be sene and considerit be my Lord Regentis Grace and Counsall to the effect abonewrittin; with certificatioun to thame and thay failyie thairin, the samyn salbe retretit, cassit, annullit, decernit and declarit to have bene fra the begynning and to be in all tymes cuming null and of nane avale, force nor effect, according to the desire of the said principall summondis and justice.

Ker and Johnnestoun.

[Holyrood House, 9th May.] Proclamatioun for persute of Rosdew. Forsamekill as my Lord Regentis Grace and Lordis of Secreit Counsale, understanding the hech and manifest contempt of James Colquhoun of Garscube and his complices, present keparis haldaris and detenaris, of the Tour Fortalice and Place of Rosdew, being in our Soverane Lordis ward, in keping and fortifeing of the same aganis his Hienes and his authoritie,

nochtwithstanding his Majesteis charge execute upoun thame for delivering thairof to his Hienes use within a certane space bigane, under the pane of tressoun; quhairthrow thay haif incurrit the same pane, and aucht to be persewit and puneist thairfoir as accordis. Quhairfoir, and to the effect that sic oppin contempt aganis his Majesteis authoritie sall not be sufferit to encourage utheris brokin and dissobedient men to attempt the lyke heireftir, the Regentis Grace has deliberat to sek the obedience of the said Hous Tour and Fortalice be force; in the performing quhairof it is requisite that he be substantiouslie accumpaneit with our Soverane Lordis obedient subjectis within the boundis underwrittin. Ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing all our Soverane Lordis liegis betuix lx and xvi yeris, and utheris fensibill personis, alsweill dwelland to burgh as to land, within regalitie as ryaltie, within the boundis of the Sherefdomes of Lanark, Dunbartane, Renfrew and Air, within the cuntreis of Kyle and Cunynghame, that thay and ilkane of thame weill bodin in feir of weir, with xxx dayis victuallis and provisioun and careage and palyeonis to ly on the feildis, addres thame to meit the said Lord Regent at Dunbartane the xxiiii day of Junii nix to cum, and fra thyne to pas furthwart for assegeing and expugnatioun of the said Castell, Tour and Fortalice, and reduceing of the same and personis being thairin to our Soverane Lordis obedience, and attend on service for that effect as thay salbe commandit during the said space of xxx dayis, under the pane of tinsell of lyff, landis, and gudis.

[Edinburgh, 12th May.]

Sederunt—Joannes Dominus Glammis Cancellarius. Joannes Comes de Montrois. Willelmus Dominus Ruthven Thesaurarius. Patricius Dominus Gray. Adam Episcopus Orchadensis. Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus.

Margaret Ogilvy.

Anent oure Soverane Lordis letters rasit at the instance of Margaret Ogilvy spous of Williame Baillie of the Hawchis, makand mentioun;—

Thomas Meldrum.

That quhair Thomas Meldrum of Eden hes under silence of nycht, be quhat authoritie or commissioun schö knawis not, cumit to hir husbandis dwelling hous, and thair perforce and way of deid tuke and band him lyke ane theif, and careit him away with thame to the place of Eden, quhair he remanis maist miserabillie,—without ony offence done or committit be him to the said Thomas or ony uther persoun. And albeit hir said husband and schö hes offerit cautioun to underly the law for quhatsumevir cryme, befoir the Justice or his deputtis, at quhat day the said Thomas plesit; nochtwithstanding he maist wranguslie refusit, thinking be detentioun of the said Williame in presoun to caus him renunce all actioun intentit or to be intentit be hir said husband aganis the said Thomas—and specialie the rycht and kyndnes of the landis of Arnelie—without remeid be providit. And anent the charge gevin to the said Thomas Meldrum to put the said Williame Baillie to libertie and fredome furth of presoun, swa that he mycht pas as our Soverane Lordis fre liege

in tyme cuming, within xxiiii houris nixt eftir the charge; or ellis to bring and present him personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to the effect ordour mycht have bene takin with him as appertenit; with certificatioun to him and he failyeit, utheris letters sould be direct, chargeing him simpliciter thairto, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, bayth the saidis partiis comperand personalie, the said Thomas Meldrum allegeit that the said Williame wes denunceit rebell and put to the horne for non finding of souirtie to have comperit befoir the Baillie of the regalitie of Kinloss at ane certane day bipast, and underlyne the law for art and part of the slauchter of umquhile Maister James Birny; and becaus he remanit thairat, joyning him self in cumpany of certane sornaris vagaboundis and utheris oppressouris of the cuntre, commissioun wes gevin under the quarter seill to the Shereffis of Banff, Elgin and Fores, and als to the said Thomas, Patrik Johnne Thomas and George Meldrumis his sonnis, and to ilkane of thame, conjunctlie and severalie, for taking and apprehending of the said Williame, lyke as he be vertew thairof wes takin and apprehendit and presentlie detenit and kepit be him; and for verifeing of the said allegeance schew and producit the said commissioun, of the dait at Dalkeyth the xii day of Marche last bipast. Quhilk being red, sene and considerit be the saidis Lordis, and thay ryplie avisit thairwith. The Lordis of Secreit Counsale findis that the said Thomas Meldrum hes done na wrang in taking and detening of the said Williame Baillie in maner foirsaid; and thairfoir decernis and ordanis him to be still detenit and kepit be the said Thomas, ay and quhill he ressave command of my Lord Regentis Grace to present him befoir the Justice or his deputtis, or sic utheris as sal haif power and commissioun to ministrat justice upoun him for his demerittis, conforme to the lawis of this realme, as the said Thomas will answer upoun his obedience and allegeance to our Soverane Lord.

Lard and Lady Boynis obligatioun.

The quhilk day, in presens of the Lordis of Secreit Counsale, comperit Alexander Ogilvy of Boyne and Marie Betoun his spous, and gaif in this band and obligatioun underwrittin, and desyrit the samyn to be actit and registrat in the bukis of Secreit Counsale, etc., of the quhilk the tennour followis: Be it kend till all men be thir present letters, me, Alexander Ogilvy of Boyne and Marie Betoun my spous: Forsamekill as our Soverane Lord the Kingis Majestie, with avise and consent of his dearest cousing and Regent James Erll of Mortoun Lord of Dalkeyth, hes set in tak and assedatioun to us and the langar levar of us, our airis and assignayis, all and haill the landis and leving of Boyne, induring ane certane space specifiit thairin, for payment yeirlie of aucht hundrith merkis, at twa termis, Witsonday and Martimes, as mair largelie is contenit in the said tak maid to us thairupoun. Heirfoir we faithfullie bind and obleis us, the langar levar of us, our airis and assignayis foirsaidis, thankfullie to content and pay to our Soverane Lord and his Regent foirsaid, thair Chalmerlanis and Factouris, the foirsaid dewitie of aucht hundrith markis,

at the termis foirsaidis yeirlie, induring the space contenit in the said tak, eftir the forme and tennour thairof, but fraude or gyle; and for the mair securitie ar content that this our obligatioun be insert and registrat in the bukis of our Soverane Lordis Secreit Counsale, and haif the strenth of ane decreit of the Lordis thairof, with executoriallis of horning or poinding to pas thairupoun at the pleasour of oure Soverane Lord and his said Regent. In witnes of the quhilk thing we haif subscrivit this our obligatioun with our handis at Edinburgh, the xii day of Maii, the yeir of God j^{m}v^{c}lxxv yeris, befoir thir witnessis, James Adamsoun burges of Edinburgh, Johnne Erskin and Walter Hay servandis to the said Lard and Lady, with utheris diverse. Sic subscribitur: Alexander Ogilvy of Boyne, with my hand. Marie Betoun.

[Holyrood House, 31st May.] Band for Rory McKenze.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Patrik Lord Lindesay of the Byris, and gaif in this band and obligatioun underwrittin, and desyrit the samyn to be actit and registrat in the bukis of Secreit Counsale, and to have the strenth, etc.; of the quhilk the tennour followis: Be it kend till all men be thir present letters, me, Coline M^{c}Kenze of Kintaill: That forsamekill as Robert Monro of Fowlis and Walter Urquhart Sheref of Cromarty, at my Lord Regentis Grace desyre, ar bundin and obleist for thameselffis, and thair airis, conjunctlie and severalie, cautionaris and souirteis, to our Soverane Lord and his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to his Majestie, his realme and liegis,—that thay sall entir and present Rory M^{c}Kenze my broder germane befoir our Soverane Lord, his said Regent and Lordis of Secreit Counsale, quhair thay sall happin to be for the tyme, and that he sall remane quhill lauchfull entre be takin of him, as thay salbe requirit or chargeit thairto upoun ane monethis warning; and als that he sall keip gude rewle in the cuntre in the menetyme, under the pane of fyve thowsand pundis, as at mair lenth is contenit in thair letters obligatouris maid thairupoun under thair subscriptionis manuall, of the dait at the Channonrie of Ross, the xxv day of Maii, the yeir of God j^{m}v^{c}lxxv yeris. Heirfoir of my awn fre motive will, to be bundin and obleist, and be the tennour of thir presentis bindis and obleissis me and my airis faythfullie to releif and keip skaythles the said Robert Monro of Fowlis and Walter Urquhart Sheref of Cromarty, and thair airis, conjunctlie and severalie, at the handis of our said Soverane Lord, his Grace Regent, and Lordis of Secreit Counsale, thair Thesaurare, and all utheris quhome it efferis, of the said sowme of v^{m} lĩ. money, and all that may follow thairupoun be ressoun of thair sourtie foirsaid; and for the mair securitie heirof, I am content and consentis that thir presentis be actit and registrat in the bukis of Secreit Counsale, and decernit to have the strenth of ane Act and decreit of the Lordis thairof, and letters and executoriallis to be direct thairupoun in forme as efferis; and to that effect makis, constitutis, and ordanis honorabill men, Maister David Makgill, Patrik Lord Lindesay of the Byris, my procuratouris, conjunctlie and severalie, to compeir befoir the saidis Lordis and consent to the registring

heirof, and to act me in thair personis for observing and fulfilling of the premissis, under the pane of poinding or horning, that executoriallis may pas thairupoun in forme as efferis; in uberiori forma promittendo de rato; In witnes heirof, I have subscrivit thir presentis with my hand, at the Channonrie of Ross, the xxv day of Maii, the yeir of God j^{m}v^{c}lxxv yeris; befoir thir witnes, Robert Grahame Archedene of Ross, David Vaus indwellar of Leyth, David Clapen thair, Patrik Davidsoun Ross Herauld, and Johnne Irwing in the Channonrie of Ross. Sic subscribitur: Colyne M^{c}Kenze of Kyntaill.

Band of the Northland men ▱.

Be it kend till all men be thir present letters, We, the Erllis, Lordis, Baronis, Landit Men and utheris undersubscrivand. [Band of 2d September 1574 repeated, with additional signatures.[1]] In witnes of the quhilk thing, we have subscrivit thir presentis with our handis in maner following, at Abirdene, the secund day of September, the yeir of God j^{m}v^{c}lxxiiii yeris. Sic subscribitur: Erroll. Maister Marschell. Johnne Lord Glammis. Lord Innermeith. Henry Lord Sinclair. Deir. Alexander Fraser of Phillorth. Johnne Keyth of Pettindy. Walter Barclay of Towy. George Meldrum of Fyvie. Patrik Mowat of Boquholle. Patrik Dalgarno of that Ilk. Williame Craufurd of Fedderat. Johnne Gordoun of Carnburro. Williame Gordoun of Craig. Alexander Gordoun of Abiryeldy. Johnne Forbes of Towe. Williame of Petfedden. Robert Forbes of Echt. Williame Straquhan of Glenkendy. Williame Cumyng of Inneralloquhy. Thomas Meldrum. Andro Meldrum. George Haliburtoun of Petcur. Williame Hay of Dalgaty. Williame Hay of Ury. Alexander Forbes of Petslego. Alexander Irwing of Drum. James Gordoun of Haddo. Williame Lesk of that Ilk. Alexander Boquhen of Auchmacoy. Alexander Annand of Ochtirellem. Andro Keyth of Ravynniscraig. Williame Seytoun of Meldrum. Johnne Cheyn of Straloch. Alexander Irwing of Belty. Johnne Burnet of Leyis. Alexander Forbes of Auchintowle. James Skene apperand of that Ilk. Michaell Fraser of Stanewod. Williame Dowglas of Glenbervy. Johnne Strauchathin of Thorntoun. Williame Cheyn of Arnage. Williame Udnie of that Ilk. Johnne Pantoun of Petmedden. Alexander Banerman of Wattirtoun. J. Erskin of Balhagartie. George Johnnestoun of Caskeben. Alexander Tulidaff of Ranystoun. Johnne Mortimer of Cragyvar. Mr. Duncane Forbes. Robert Turing of Fovern. Patrik Cheyn of Essilmont. Williame Forbes of Tolquhone. Johnne Leslie of Balquhane. Williame Leslie of Warderis. Johnne Leslie of that Ilk. Alexander Leslie of Petcapill, with my hand at the pen. Patrik Leyth of Harthill. Williame Auchinlek of Schethin, with my hand at the pen—A. Hay. Johnne Forbes of Brux, with my hand at the pen. Johnne Calder of Alsowne. Johnne Ross of . Williame . of Auchinhuif. Gilbert Orme of Carndawy, with my hand at the pen. Robert Cowtis of Auchtirco, with my hand at the pen. Johnne Gordoun of Kennarty, with my hand at the pen. Johnne Lumisden of Cuschay, with my hand at the pen—A. Hay.

[1] See p. 398, *et seq.*

[John Cockburne of Ormiston surety that Captain Ninian Cockburne, chamberlain and factor of the Priory of the Siennes, shall truly account for the fruits and sums of money received by him for redemption of certain wadset lands; the Captain distributing the balance of rents and sums of money received by him among the poor sisters of the Convent.] [Edinburgh, 1st June.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Joannes Comes de Montroise. Gilbertus Comes de Cassillis. Andreas Comes de Rothes. Robertus Dominus Boyd. Georgius Dominus Seytoun. Joannes Dominus Maxwell. Joannes Dominus Hereis. Adam Episcopus Orchadensis. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 3d June.]

Anent oure Soverane Lordis letters direct, makand mentioun.—Forsamekill as be occasioun of the deidlie feid and inymitie standing betuix the surenames of Hoppringill and Ellott, greit troubill hes bene in tyme bigane within this realme, and the lyke or greittar apperand to follow, gif tymous remeid be not providit; for quhilk purpois my Lord Regentis Grace appointit the xxv day of Maii last bipast, commanding gude rewle and assurance frome all persute to be observit be ather of the saidis partiis to utheris quhill the first day of August nix to cum. And anent the charge gevin to Andro alias Dand Hoppringill of Gallowscheillis, James Hoppringill of Torsonce, James Hoppringill his tutour, Williame Hoppringill of Torwodlie, James Hoppringill of Quhytebank, George Hoppringill of Blindley, Johnne Hoppringill of Bukholme, Malcolme Hoppringill of Cottilferry, Thomas Hoppringill of Melcomstoun, Johnne Hoppringill of Chapelhill, Williame Hoppringill of Wolhousebyre, and Johnne Hoppringill of Murehous for the part of the Hoppringillis; and als to Robert Ellott of Skelfhill, Martine Ellott of Braidley, Will Ellott of Horsliehill, Gawin Ellott his broder, Will Ellott sone to Gawin of Fallinesche and Williame Ellott in Gorumberry, for the part of the Ellottis; to have comperit personalie befoir my said Lord Regentis Grace and Lordis of Secreit Counsale, the said xxv day of Maii last, to underly sic ordour as sould be takin anent the said deidlie feid, and keping of gude rewle and ordour in the cuntre, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, thay sould be denunceit rebellis and put to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, the saidis Williame Hoppringill of Torwodlie and Malcolme Hoppringill of Cottilferry comperand personalie, the saidis Robert Ellott of Skelfhill and Martine Ellott being alsua personalie present, and the remanent personis abonewrittin, alsweill Hoppringillis as Ellottis, being oftymes callit and not comperand. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing the foirsaidis personis quhilkis comperit not, yit as of befoir to find souirtie to the officiar, executor of the saidis letters, ilk persoun under the pane of ane hundrith pundis, that thay sall compeir Hoppringill. Ellot.

befoir my said Lord Regentis Grace and Lordis of Secreit Counsale, the xxiiii of Junii instant, bringand with thame and ilkane of thame all sic bandis and obligatouris as thay or ony of thame hes of utheris, to be sene and considerit, and to underly sic ordour as salbe takin anent the saidis bandis deidlie feid and keping of gude rewle in the cuntre in tyme cuming, within xxiiii houris nixt eftir thay be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thay or ony of thame failyeis in finding of the said souirtie within the said space in maner foirsaid, to denunce the dissobeyaris rebellis and put thame to the horne, and to escheit, etc.; and als to command and charge the foirsaidis personis of the surename of Hoppringillis, to bring with thame the saidis day and place the personis underwrittin ellis nemmit be thame, to be commonaris upoun the said feid; thay ar to say, Andro Ker of Fawdounsyde, Walter Riddell of that Ilk, Williame Stewart of Caverstoun and James Heriot of Trabroun, or sic utheris as thay sall think maist meit and convenient for the purpois and will use for thame thairin; and siclyke, to charge the foirsaidis personis of the surename of Ellott to bring with thame the samyn day and place the personis underspecifiit ellis nemmit be thame to be commonaris for thair part. Thay ar to say, Williame Dowglas of Caveris, George Dowglas younger of Bane Jedburgh, Williame Dowglas of the Cruke, Johnne Turnbull of Mynto, Richard Rutherfurde of Edyarstoun, and George Ruthirfurde of the Grange, or sic utheris as thay will use or sall think maist meit for thair part, to the effect that, be commoun travell of the foirsaidis freindis and commonaris, sum gude end and conclusioun may be takin tuicheing the saidis bandis and feid; certifeing the partie failyear heirintill, my Lord Regentis Grace and Counsale will nochtwithstanding proceid and tak sic ordour as accordis of equitie and ressoun; the personis present warnit heirto apud acta.

[Edinburgh, 5th June.] Inglismen.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Charles Ellott and Williame Proriger, Inglismen, makand mentioun;—that quhair upoun Weddinisday last, thay beand under saill foranent the May, cumand to the Port of Leyth with a schip ladin with malt and quheit, for selling of the samyn to the liegis of this realme; in the menetyme Johnne Aytoun indwellar of Hadingtoun, come a burde upoun thame, and eftir inquisitioun had of thair waris wes desyrous to bargane, quhilk thay wer content to do, being first certifiit upoun quhat mesour thay sould mak delivery of thair victuale; quhairunto it wes answerit be the said Johnne that thay sould have the mesour of Dunbar, quhilk he assurit thame wes not passand a pek fra the boll of the mesour of Berwik; quhairthrow thay aggreit and maid bargane upoun provisioun that the said mesour sould exceid na forder nor is abone specifiit; albeit sensyne the saidis complenaris understandis the same mesour to be of far greittar quantitie nor is abone mentionat. In respect quhairof and of sindry utheris conditionis mentionat and contenit in the said complaint, quhilk the said Johnne Aytoun hes not kepit, nor is not abill to keip and fulfill to the saidis complenaris, being expres contrair the lawis of this realme,

Men of Dunbar.

the said bargane thairfoir aucht to be decernit null, and thay sufferit to sell thair victuall to ony utheris the liegis of this realme at thair pleasour. And anent the charge gevin to the said Johnne Aytoun and Robert Lawder burges of Dunbar, his partinar in the said bargane, to compeir personalie befoir the Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaint, as the samyn, executioun and indorsatioun thairof at mair lenth beris; quhilkis being callit, the saidis Charles Ellott and Williame Proriger comperand personalie with Mr. Thomas Buchannane thair prelocutor, and the saidis Johnne Aytoun and Robert Lawder being alsua personalie present; the ressonis and allegationis of baith the saidis partiis being hard and considerit be the saidis Lordis, and thay ryplie avisit thairwith.—The Lordis of Secreit Counsale ordanis the saidis Charles and Williame to deliver, and the saidis Johnne Aytoun and Robert Lawder to ressave, the half of the said victuall being within the said schip, malt and quheit oureheid, betuix and Sonday nixt the tent day of Julii, of the mesour of Dunbar, upoun the pryce of thre pundis fourty pennyis money of this realme for ilk boll thairof, to be payit all in half merk pecis in Sanct Gelis Kirk, within the burgh of Edinburgh, within ten dayis nixteftir the ressait of the samyn; for payment quhairof in maner foirsaid, the said Robert Lawder, Henry Heriot, Johnne Allane in Northberwik, and the said Johnne Aytoun being all personalie present, become actit and obleist cautionaris and souirteis, conjunctlie and severalie. And attour ordanis the uther half of the same victuall to be usit and disponit upoun be the saidis Charles and Williame, as thay sall think best for thair awin commoditie and advantage, dischargeing the saidis Johnne Aytoun, Robert Lawder, and all utheris oure Soverane Lordis liegis quhatsumevir, of all molesting, troubling, or impediment making, to thame thairintill, or in transporting of the samyn fra Achesonis Havin to ony uther part of this realme to the effect foirsaid, as thay will answer upoun thair obedience.

[Holyrood House, 10th June.] To charge the Commissaris.

My Lord Regentis Grace and Lordis of Secreit Counsale, considering that eftir the abolishing of the papisticall jurisdictioun and religioun within this realme, thair wes certane Commissaris constitute be the Quene, berand authoritie for the tyme for decisioun of beneficiall and matrimoniall caussis, confirmatioun of testamentis and utheris, quhill a mair perfyte ordour mycht be providit for and establissit. And now persaving sindry abusis and inconvenientis to be fallin in the ordour and procedingis of the saidis Commissaris; to the effect that the same may be tryit, and bettir and mair solide and substantious ordour appointit for the tyme to cum; ordanis letters to be direct, chargeing all and sindry the saidis Commissaris quhais names ar to be specialie insert in the saidis letters, to compeir personalie befoir his Grace and Lordis of Secreit Counsale upoun the xv day of Julii nix to cum, bringand with thame thair commissionis and instructionis, quhairby thay use the office of Commissary within the boundis respective committit to thame, to be sene and considerit, to the effect that sic farther and bettir ordour may be takin anent the using and exerceing of that jurisdictioun fra thyne furth, as salbe thocht gude, under the pane of de-

privatioun, with certificatioun to sic as comperis not, thay salbe depryvit frome all forder using and exerceing of the said jurisdictioun of Commissary eftir the said day.

[Edinburgh, 6th July.]

Sederunt—Willelmus Dominus Ruthven. Adam Episcopus Orchadensis. Clericus Registri. Clericus Justiciarie. Advocatus.

Skipparis of Leyth.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be the skipparis and marinaris, indwellaris of the toun of Leyth, makand mentioun;—that quhair in the payment of the dewitie of the cokquett of our Soverane Lordis custumhous, within the burgh of Edinburgh, the forme of ordour following hes bene observit in all tymes bigane of every schip passand furth at the port and havin of Leyth; that is to say, gif thair be in the entres sa mony names of marchantis as sall not exceid the nowmer of twenty, ilk man sall pay ane plak, extending to twenty plakkis; and sa mony as sall exceid the said nowmer of twenty, sa mony plakkis salbe payit to the clerk of the cokquett; and attour every cokquet payis besyde the cokquet plakkis twa schillingis, extending in the haill to aucht schillingis viii ₰.; quhilk hes bene in use in all tyme bigane to be payit be the clerk of ilk schip to the clerk of the cokquett, and nevir na novatioun nor alteratioun maid in the contrair be the keparis of the cocquett seill at ony tyme; quhill now laitlie, that Williame Makcairtnay writtar in Edinburgh, having of lait purchest the keping of the said cokquet seill, be quhat moyen the saidis complenaris knawis not, hes pretendit a novatioun and alteratioun of the formar ordour, craving ane half merk money of this realme mair of every schip nor is abonespecifiit, and that wes accustumat to be payit in all tymes bigane. And for non payment thairof hes refusit thame the said cokquet, and thairthrow stoppit the saidis complenaris of thair vayage, albeit thay stand not samekill upoun the quantitie of the sowme as thay do upoun the new preparative and the greit inconvenient that it may induce to thame heireftir. And anent the charge gevin to the said Williame M^cCairtnay to compeir befoir the Lordis of Secreit Counsall at ane certane day bipast, to answer to the said complaint, as the samyn with the executioun and indorsatioun thairof beris. Quhilhis being callit, comperit David Vaus, Williame Downy, James Gourlaw, Thomas Broun, and Downy, skipparis and marinaris, indwellaris of the said toun of Leyth, for thameselffis and in name of the remanent skipparis and marinaris within the same; and the said Williame M^cCairtnay comperand alsua personalie; the ressonis and allegationis of bayth the saidis partiis being hard and considerit be the saidis Lordis, and thay ryplie avisit thairwith, togidder with the declaratioun of Alexander Purves and Henry Charteris, last keparis and clerkis of the said cokquett. The Lordis of Secreit Counsale findis that in the payment of the dewitie of oure Soverane Lordis custumhous the forme and ordour abone writtin hes bene usit and observit in tyme bigane; and thairfoir decernis and ordanis the said Williame to observe and keip the lyke ordour in tyme cuming, and on na wayis to raise or alter the samyn

William Makcairtnay.

in ony poynt, as he wald answer upoun his obedience, at his uttirmest charge and perrell.

[Entry in the form usual that Alexander Sym advocat presented a "band and obligatioun" that it might be registered for execution, as follows :—] [Edinburgh, 9th July.] Band for Balnagowne.

We, Johnne Campbell of Calder and James Scrymgeour of Dudope, Constable of Dunde, to be bundin and obleist, and be the tennour heirof obleisis us and our airis, conjunctlie and severalie, to our Soverane Lord and his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to his Hienes, his realme and liegeis, that we sall entir and present Alexander Ross of Balnagowne and George Ross his sone and apperand air, befoir oure Soverane Lord, his said Regent, and Lordis of Secreit Counsale, quhair thay sal happin to be for the tyme, and that thay sall remane quhill lauchfull entre be tane of thame, as we salbe requirit or chargeit thairto upoun ane monethis warning; and als that thay, be thameselffis thair kin freindis and servandis, sall keip gude rewle in the cuntre in the menetyme, under the pane of ten thowsand pundis. And for the mair securitie, we ar content and consentis that this oure obligatioun be actit and registrat in the bukis of Secreit Counsale, to have the strenth of ane act and decreit of the Lordis thairof, and that letters and executoriallis be direct thairupoun in forme as efferis; and to that effect, makis constitutis and ordanis Maisteris Alexander Sym, Johnne Scharp, conjunctlie and severalie, oure procuratouris; in uberiori forma promittendo de rato; in witnes of the quhilk thing we have subscrivit thir presentis with oure handis as followis, at Edinburgh, the vi and vii dayis of Julii respective, the yeir of God j^{m}v^{c}lxxv yeris. Sic subscribitur: Constable of Dunde. Johnne Campbell of Calder.

[Alexander Ross of Balnagowne and George Ross his son and heir, become bound to relieve John Campbell of Calder and James Scrimgeor of Dudhope of the above obligation.] [Edinburgh, 7th July.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Patricius Dominus Lindesay. Georgius Dominus Seytoun. Willelmus Dominus Yeistir. Robertus Dominus Sympill. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Marcus Commendatarius de Newbottill. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood-house, 26th July.]

Anent oure Soverane Lordis letters, rasit at the instance of Maister James Makgill—sone and apperand air to Maister James Makgill of Rankelour Nethir Clerk of Register, and George Diksoun messinger for his interes, makand mentioun;—that quhair his said fader havand in tak and assedatioun to him, his airis and assignayis, all and haill the vicarage of the parroche kirk of Lesmahago, teindis, frutis, rentis, proventis and emolumentis thairof, maid and constitute him his cessionar and assignay thairto, as the letters of tak maid to his said fader and his assignatioun to him thairupoun beris; conforme to the quhilk he obtenit decreit of the Lordis of oure Counsall Mr. James Makgill.

and Sessioun, with letters thairupoun in the four formes, quhairwith the said George Dikesoun messinger, upoun the thrid day of Julii instant, wes passand to have chargeit the parrochynnaris of Lesmahago to have maid payment to the foirsaid Maister James of the frutis of the vicarage thairof, of this instant crop and yeir of God, trusting na troubill to have bene done to him for the reverenee of his office. Nevirtheles, James Weir youngar of Blakwod, accumpaneit with David Reid of Pennyland in Kyle, bodin with swerdis and bent pistolettis, come to the hous of Johnne Roger in the Manys of Lesmahago, quhair the said messinger than wes passand furthwart for executioun of the saidis letters, and thair the said James pulland out his pistolett, as thocht he wald have . . . the said messinger thairwith, bad him tak him swyth, or ellis he sould . . . ane pistolet throw his body ; and gif he careit or preissit owther to use letters, or intromet with ony of the said vicarage, it sould coist him his lyff; for feir of quhilk mannassing and present displeasour offerit him, he wes constranit to leif his service and further executioun of the saidis letters, to the said Maister James greit skayth, and in hie and manifest contemptioun of our Soverane Lordis authoritie ; sa manifestlie resisting the same, eftir obedience thairto is sworne and promissit be the said James Weiris fader, for himself, his bairnis, servandis and all depending on him ; and manifestlie contravenand the lait Act and proclamatioun anent wearing of daggis,—as thocht Lesmahago and the inhabitantis thairof wer lawles, and exemit frome our subjectioun ; to the evill exempill of utheris dissobedient personis, to boist impeid and deforce our Soverane Lordis officiaris in lyke sort, gif this proude and arrogant attemptat beis not puneist. And anent the charge gevin to the said James Weir, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to this complaint, and to underly sic ordour and punisement as sould be thocht meit to appoint thairfoir, under the pane of rebellioun ; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The said Maister James and George Dikkesoun comperand bayth personalie, and the said James Weir being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to denunce the said James Weir, etc., and to escheit, etc.

Blakwood.

Band for Rory McKenze.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsall, comperit Patrik Lord Lindesay of the Byris, and gaif in this band and obligatioun underwrittin, desyring the same to be actit and registrat, etc., of the quhilk the tennour followis : Be it kend till all men be thir present letters, we Robert Monro of Fowlis, and Walter Urquhard Shereff of Cromarty, to be bundin and obleist, and be the tennour heirof bindis and obleissis us and our airis, conjunctlie and severalie, to our Soverane Lord and his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to his Majestie, his realme and liegis, that we sall entir

and present Rory M^{c}Kenze broder germane to Colyne M^{c}Kenze of Kintaill befoir our said Soverane Lord, his said Regent and Lordis of Secreit Counsale, quhair thay sal happin to be for the tyme, and that he sall remane quhill lauchfull entre be takin of him, as we salbe requirit or chargeit thairto upoun ane monthis warning. And als that he sall keip gude rewle in the cuntre in the menetyme, under the pane of fyve thowsand pundis. And for the mair securitie we ar content and consentis that thir presentis be actit and registrat in the bukis of Secreit Counsale, and decernit to have the strenth of ane Act and decreit of the Lordis thairof, and letters and executoriallis to be direct thairupoun in forme as efferis; and to that effect, makis, constitutis, and ordanis Maisteris Johnne Scharp, Patrik Lord Lindesay of the Byris, oure procuratouris, to compeir befoir the saidis Lordis, and consent to the registering heirof; in uberiori forma promittendo de rato; in witnes heirof we have subscrivit thir presentis with our handis in maner following at the Channonrie of Ross, the xxvi day of Maii, the yeir of God j^{m}v^{c}lxxv yeris, befoir thir witnessis, Robert Grahame Archedene of Ross, David Vaus indwellar of Leyth, David Logane thair, Patrik Davidsoun Ross Herauld, and Johnne Irwing in the Channonrie of Ross. Sic subscribitur: Robert Monro of Fowlis. Walter Urquhart Shereff of Cromarty.

Proclamatioun eftir the Reid Swyre.

Forsamekill as at the lait meting on the Reid Swyre upoun the vii day of Julii instant, thair is ane unhappy accident fallin, to the hinderance of the ordinar cours of justice betuix the subjectis of bayth the realmis thair convenit, to the incouraging of wickit men to attempt further mischeif and disordour in the prejudice of the peace and gude amytie, sa lang and happelie continewit betuix our Soverane Lord and his dearest suster and cousignace, the Quene of England, of quhais sinceir intentioun to the inviolabill observatioun of the same peace we have had gude pruif, and restis fully assurit. Quhairfoir, and to the effect that all occasioun of forder troubill displeasour and misrule salbe avoidit heireftir, and that the gude peace, amytie, and ordinar administratioun of justice, may be observit and continew betuix the subjectis of bayth the realmis without ony violatioun on the part of our said Soverane Lord and his subjectis,—ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing all and sindry our Soverane Lordis liegis, be oppin proclamatioun at the marcat croces of Drumfreis, Lochmaben, Hawik, Jedburgh, Kelso, Dunse, and utheris places neidfull, that nane of thame tak upoun hand to do or attempt ony thing in hurt or prejudice of the said gude amytie, bot observe and keip the said peace without brek or violatioun in ony sort, as thay and every ane of thame will answer to his Hienes upoun thair allegeance, at thair uttirmest charge and perrell, and under the pane of deid.

[Foulden, 13th September.] Proclamatioun to keip the peace.

Forsamekill as upoun occasioun of the lait troubill and disordour happynning at the meting at the Reid Swyre in the Middle Marche, upoun the sevint day of Julii last, the Regentis Grace and certane utheris in

name and behalf of our Soverane Lord on the one part, and certane nobill men and utheris commissioneris for the Quenis Majestie of England on the uther part, hes met, treatit, and conferrit, and at last weill aggreit, to the redres of the mutuall attemptattis, and conservatioun of the perpetuall peace and amytie betuix the realmis in tymes cuming; and to the effect that this gude begynning may tak further effect, the said Lord Regent is, with all gude and possibill speid, to repair in propir persoun to Jedburgh, Drumfreis, and utheris partis ewest the Bordouris to perfyte and estableis all thingis requisite in this behalf. Thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of Dunse, Kelso, Jedburgh, Hawik, Drumfreis, Lochmaben, and all utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie to command and charge all and sindry his Hienes liegis, that nane of thame tak upoun hand to ryde in England unlauchfullie, or to invade or persew ony of the Quenis Majestie of Englandis subjectis in bodiis or gudis, or use ony maner of hostilitie to the hurt and prejudice of the said gude peace and amytie, under the pane of deid; certifeing thame that dois in the contrair, that thay sall not onelie redres the skayth with the dowbles with all rigour, bot the said pane of deid salbe execute upoun thame as wilfull peace brekaris in exempill of utheris.

[Langtoun, 14th September.] Proclamatioun to meit at Jedburgh.

Forsamekill as sen the lait troubill and disordour happynnit at the meting at the Reid Swyre in the Middill Marche, sindry attemptattis hes bene committit be sum wickit and brokin men, inhabitantis within the boundis of the said Middle Marche, to the disturbance of the said gude peace and amytie standing betuix the Realmis, and to the greit harme of our Soverane Lordis gude and obedient subjectis; and my Lord Regentis Grace intending to put ordour thairto, with all expeditioun is to repair to the Bordouris in propir persoun, quhair neidfull it is that he be weill and substantiouslie accumpaneit; thairfoir ordanis letters to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas to the marcat croces of Edinburgh, Linlythquow, Hadingtoun, Dunse, Lawder, Jedburgh and Selkirk, and thair be oppin proclamatioun, in our Soverane Lordis name and authoritie, command and charge all and sindry Erllis, Lordis, Baronis, Frehalderis, Landit Men, Gentilmen, and Substantious Yemen Men, within the boundis of the Sherefdomes of Edinburgh Principall and within the Constabulary of Hadingtoun, Linlythquow, Berwik, Roxburgh, Selkirk, and Baillierie of Lauderdaill, that thay and ilkane of thame weill bodin in feir of weir, with xx dayis victuallis and provisioun eftir thair cuming, addres thame to meit his Grace at Jedburgh the aucht day of October nix to cum, and thair to remane and attend upoun his Grace as thay salbe commandit during the said space of xx dayis, under the pane of tinsell of lyff, landis and gudis.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Willelmus Dominus Provand. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 30th September.]

Anent oure Soverane Lordis letters rasit at the instance of Richard Bynning messinger and Hary Lindesay burges of Craill, makand mentioun ;— Richert Bynning. Hary Lindesay. that quhair, upoun the first day of Maii last bipast, at nyne houris at evin or thairby, eftir that the said Richert had put oure Soverane Lordis letters to executioun upoun certane personis contenit thairintill, tuicheing the hurting and mutilatioun of Maister Thomas Kynneir minister of Craill, committit under silence of nycht,—the said Richard beand passand to his ludgeing in cumpany of the said Hary, belevand na maner of evill to have bene done to thame be ony personis ; nocht theles than come to the saidis complenaris the personis contenit in the saidis utheris letters, with certane utheris thair collegis ; thay ar to say, Thomas Martine, Johnne Martine, Johnne Arnot, Petir Arnot, Johnne Ramsay, Andro Martine, Alexander Myllar—and utheris quhais names the saidis complenaris could not try be ressoun of the mirknes of the nycht, and thair umbeset thair gaittis, mannassing and boisting thame, tantinglie saying the wordis, Cum thow now and ressave cautioun of us. Unto the quhilk the saidis complenaris answerit, it wes na convenient tyme to ressave the said caution, and desyrit Goddis peace and our Soverane Lordis to pas to thair ludgeing for that nycht ; with the quhilk thay wer not content, bot pikkit querrellis and gaif the saidis complenaris mony bawch strakis to the effusioun of thair blude, in hie contemptioun of our Soverane Lordis authoritie and lawis, and in evill exempill to utheris to do the lyke gif this be sufferit to remane unpuneist. And anent the charge gevin to the saidis Thomas Martine, Johnne Martine, Johnne Arnot, Petir Arnot, Johnne Ramsay, Andro Martine and Alexander Myllar, to compeir personalie ; and als to Maister George Meldrum and Williame Annand Baillies of Craill, to bring and present thame befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to this complaint, under the pane of rebellioun and putting of thame to the horne ; with certificatioun to thame and thay failyeit, the said day being bipast, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The saidis Richard Bynning and Hary Lindesay comperand bayth personalie ; the saidis Thomas Martine, Johnne Martine, Johnne Arnot, Johnne Ramsay, Andro Martine and Alexander Ramsay being alsua personalie present ; and the said Peter Arnot being oftymes callit and not comperand ; the said Williame Annand, ane of the saidis Baillies, being personalie present,—and the said Maister George Meldrum likewyis oftymes callit and not comperand,—the said Williame Annand allegit him to have done diligence for apprehensioun of the said Petir, be sercheing and seking of him at his awin dwelling hous and utheris houssis within the said toun quhair he usit to frequent, immediatlie eftir the executioun of the said charge ; Men of Craill.

bot could not apprehend him, being departit to his vayage to the partis beyond sey laitlie of befoir; to the quhilk it wes answerit and replyit be the said Hary Lindesay that the said Petir wes in the said toun of Craill the tyme of the said charge and four dayis thaireftir, and offerit him to preif the samyn; quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, admittis the said answer and reply to the said Haryis probatioun, and for preving thairof, assignis to him the aucht day of October nix to cum, and ordanis him to have letters to summond sic witnessis as he will use for preving of the samyn agane the said day, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne; and in the menetyme continewis the said mater, etc., the saidis Hary and Williame Annand being warnit heirto apud acta; and attour, ordanis letters to be direct to denunce the saidis Mr. George Meldrum and Petir Arnot our Soverane Lordis rebellis, etc., and to escheit, etc.

Proclamatioun to meit at Drumfreis.

Forsamekill as sindry stowthis and utheris enorme crymes being committit be the disorderit people and brokin men inhabiting the cuntreis ewest the Bordouris of the West Marche of this realme; for punissing of the offendouris and reduceing of the same cuntreis to obedience, the Regentis Grace intendis, God willing, in propir persoun to pas to Drumfreis, and thairfra furthwart as occasioun salbe offerit, in quhilk jornay neidfull it is that he be weill and substantiouslie accumpaneit. Thairfoir ordanis letters to be direct to officiaris of armes, Sheriffis in that part, to pas and charge all and sindry Erllis, Lordis, Baronis, Frehaldaris, Landit Men, Gentilmen, and Substantious Yemen men, within the boundis of the Sherefdomes of Lanark, Renfrew, Air, Wigtoun, Drumfries, Stewartries of Kirkcudbrycht and Annanderdaill, and Baillieris of Kyle Carrik and Cunynghame, be oppin proclamatioun at the marcat croces of Lanark, Renfrew, Air, Irwing, Wigtoun, Kirkcudbrycht, Drumfreis and utheris places neidfull, that thay and ilkane of thame, weill bodin in feir of weir, with xx dayis victuallis and provisioun eftir thair cuming, convene and meit the said Lord Regent at Drumfreis the xxiiii day of October nix to cum, thair to attend or to pas furthwart as thay salbe commandit to the effect abone writtin, under the pane of tinsell of lyff, landis and gudis.

Proclamatioun to cum to Jedburgh.

Forsamekill as upoun occasioun of sindry stowthis and enormeteis committit be the brokin men inhabiting the Marcheis of this realme foranent Ingland, aganis the peciabill and gude subjectis of the incuntre, proclamatioun wes directit commanding all our Soverane Lordis liegis, being Erllis, Lordis, Baronis, Landit Men, Frehaldaris, Gentilmen, and Substantious Yemen men, within the boundis of the Sherefdomes of Edinburgh Principall and within the Constabularie of Hadingtoun, Berwik, Roxburgh and Selkirk, that thay and ilkane of thame, weill bodin in feir of weir, with xx dayis victuallis and provisioun eftir thair cuming, sould meit the Regentis Grace at Jedburgh the viii day of October nix to cum, to attend as thay sould have bene commandit during the said space, as in the proclamatioun maid

thairupoun at mair lenth is contenit; nevirtheles, for certane necessary caussis and considerationis, his Grace is moved for sum few dayis to differ his passage to Jedburgh; and thairfoir ordanis letters to be direct to mak publicatioun of the premissis be oppin proclamatioun at the marcat croces of Edinburgh, Linlythquow, Hadingtoun, Dunse, Lawder, Roxburgh and Selkirk, that nane pretend ignorance of the same; and to command and charge all and sindry the saidis Erllis, Lordis, Baronis, Landitmen, Frehaldaris, Gentilmen, and Substantious Yemen men, within the boundis of the Sherefdomes abonewrittin, that thay and ilkane of thame, weill bodin in feir of weir, addres thame selffis and be in full reddines to meit his Grace at Jedburgh, in maner and forme contenit in the formar proclamatioun, as thay salbe adverteist and commandit of new, upoun four dayis warning, conforme to the same proclamatioun maid thairupoun, and under the panis contenit in the samyn.

Anent Wappynschawing.

Forsamekill as according to the Actis of Parliament maid of befoir, ane act and ordinance wes maid in the lait conventioun of the nobilitie and states, commanding wapinschawingis to be haldin twyis in the yeir, first the xx day of Julii, and thaireftir the tent day of October yeirlie; and albeit the saidis wapinschawingis wer dewlie proclamit in all schyris of this realme, yit in sindry partis a greit nowmer of the liegis hes not comperit to the saidis wapinschawingis, and sindry quhilkis comperit wer not armit with sufficient armour and wappynnis, according to the saidis Actis; and thairfoir alsweill the ane as the uther sort hes incurrit the panis contenit in the same Actis. Quhairfoir ordanis letters to be direct, chargeing all and sindry Shereffis, Stewartis, Baillies, Lordis of Regaliteis, Provestis Aldermen, and Baillies of Burrowis, and utheris Jugeis Ordinar, that thay hald and keip the saidis wapinschawingis at the tent day of October nix to cum and in tyme cuming, eftir the forme and tennour of the saidis Actis and proclamationis maid thairupoun of befoir, and under the panis contenit in the same; and specialie fra the non comperantis, to raise and uplift the panis contenit in the lxvii Act of Parliament of King James the First, and that of all maner of personis subject to compeir at the saidis wapinschawingis; and that the saidis Shereffis and utheris ordinar Jugeis report thair rollis of the speciall names, surenames, and dwelling places, with the maner of armour of the personis comperand at the saidis wapinschawingis; and gif ony makis refusall to deliver the names of thair tenentis and servandis in that ordour, to note thame as absentis, and uptak thair unlawis as thocht thay had not comperit. And that our Soverane Lordis Thesaurare call the Sheriffis and utheris officiaris that deliveris not thair rollis in maner abonewrittin within xl dayis eftir the said secund wapinschaw,—to be haldin the said tent day of October nixt to cum,—and uptak the pane of the dissobeyaris and failyearis thairin with all rigour, as he will answer to our Soverane Lord upoun the dewitie of his office, at his uttirmest charge and perrell.

[Holyrood House, 1st October.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Magister Willelmus Baillie Dominus Provand. Clericus Registri. Advocatus.

Gaitgirth.

Anent oure Soverane Lordis letters rasit at the instance of James Chalmer of Gaitgirth, makand mentioun;—that quhair he, his fader and predecessouris, hes bene peciabill possessouris and now heretouris of the four merkland of auld extent of Trabeauch and Burne, with the tour and fortalice thairof liand in Kingis Kyle and Sherefdome of Air, and hes usit the censuris of the law aganis his tenentis thairof, and he, his just and undoutit heretabill rycht and titill, aucht and sould scheir the cornis and maw the medois thairof to his awin use; nochttheles, Sir Mathow Campbell of

Sheref of Air.

Lowdoun knycht Sheref of Air, Hew Campbell his sone, and fear of the saidis landis and office, be thame selffis, and Alexander Campbell broder naturall to the said Sir Mathow, Andro Campbell thair servand, and utheris thair servandis and complices, assistit with Williame Craufurd of Lefnoreis youngar, Williame Campbell tutour of Cesnok, with thair freindis, servandis, partakaris, and complices to the nowmer of sex personis or thairby, bodin in feir of weir, with jakkis, speris, hagbuttis, pistolettis, and utheris wappynnis invasive,—upoun the nynt day of Junii last bipast, come to the place of Gaitgirth, within the closeris and dykis thairof, and thair lichtit on fute and had slayne the said James Chalmer, wer not he had the said place for his refuge; and quhen that purpois failyeit, thay past immediatlie thaireftir to his landis of Trabeauch, and thair chassit Williame Hude and David Downy his tenentis thairof, and with bendit pistolettis and drawin swerdis haldin to thair belleis, mannassit and compellit thame to renunce him thair kyndlie maister, and hald of thame, lyke as the saidis tenentis hes sworne befoir notaris and witnessis in deid; and now the saidis Sir Mathow, Hew his sone, and thair complices foirsaidis, ar reddy bent, with convocatioun of our Soverane Lordis liegis, to scheir the cornis growand upoun the saidis landis, lyke as thay have alreddy mawin the medo. And anent the charge gevin to the saidis Sir Mathow Campbell, Hew Campbell his sone, Alexander Campbell, Andro Campbell thair servandis, William Dunbar of Blantyre, Williame Craufurd, and Williame Campbell, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale, at ane certane day bipast, to have hard and sene ordour takin heiranent as appertenit; and forder, to answer to sic uther complaintis as sould be laid to thair charge at thair cuming; under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne,—lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. Quhilkis being callit, the said James Chalmer comperand personalie, and the said Sir Mathow Campbell, Williame Campbell tutour of Cesnok, and Williame Dunbar being alsua personalie present; the saidis Hew Campbell, Alexander Campbell, Andro Campbell and Williame Craufurd being oftymes

callit and not comperand; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, to denunce the saidis Hew Campbell, Williame Craufurd, Alexander Campbell and Andro Campbell rebellis, and put thame to the horne; and to escheit, etc.

Sederunt—Domini ut in die predicto.

[Holyrood House, 4th October.] Ury.

Anent oure Soverane Lordis letters rasit at the instance of Johnne Hay, lauchfull sone to Williame Hay of Ury, and Williame Hay in Nethirtoun of Creych Montgorth, aganis Williame Hay of Delgatty, Andro Erll of Errole, and Patrik Kynnard of that Ilk, for productioun, dischargeing and annulling of certane letters purchest be thame, dischargeing Maisteris Thomas Bannatyne and Thomas Craig justice deputtis—be commissioun of the Justice Generall specialie constitute—of all proceding in ane actioun and caus of perambulatioun persewit be the saidis Johnne Hay and Williame Hay aganis the said William Hay of Delgatty and his collegis abonewrittin, lyke as at mair lenth is contenit in the saidis letters rasit thairupoun. Quhilkis being callit, and the saidis Johnne Hay and Williame Hay comperand be Maister Johnne Scharp his procuratour, and the said Andro Erll of Errole comperand be Maister Henry Kinross his procuratour, and the said Patrik Kynnard being oftymes callit and not comperand; my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, continewis the said mater in the samyn forme, force and effect as it is now but prejudice of partie, unto the tent day of November nix to cum; the partiis present warnit heirto apud acta.

[Edinburgh, 15th October.] Proclamation to meit at Drumfreis.

Forsamekill as upoun occasioun of sindry stowthis and enormiteis committit be the brokin men inhabiting the Marcheis of this realme foranent England, aganis the peciabill and gude subjectis of the incuntre, proclamatioun wer directit, commanding all oure Soverane Lordis liegis—being Erllis, Lordis, Baronis, Landit men, Frehaldaris, Gentilmen, and Substantious Yemen men,—within the boundis of the Sherefdomes of Lanerk, Renfrew, Ayr, Wigtoun, Drumfreis, Stewartreis of Kircudbrycht, and Annanderdaill, and Baillieris of Kyle, Carrik, and Cunynghame; that thay and ilkane of thame weill bodin in feir of weir, with xx dayis victuallis and provisioun eftir thair cuming, sould meit the Regentis Grace at Drumfreis, the xxiiii day of October instant, to attend, as thay sould haif bene commandit during the said space, as in the proclamatioun maid thairupoun at mair lenth is contenit. Nevirtheles, for certane necessury caussis and considerationis, his Grace is movit for som few dayis to differ his passage to Drumfreis; and thairfoir ordanis letters to be direct to mak publicatioun of the premisses be oppin proclamatioun at the marcat croces of Lanark, Renfrew, Air, Irwing, Wigtoun, Kirkcudbrycht, Drumfreis and utheris places neidfull, that nane pretend ignorance of the same; and to command and charge all and sindry the saidis Erllis, Lordis, Baronis, Landitmen, Frehaldaris, Gentilmen, and Substantious Yemen men, within the boundis of the Sherefdomes, Stewartreis

and Baillieris abone writtin, that thay and ilkane of thame, weill bodin in feir of weir, addres thame selffis and be in full reddines, to meit his Grace at Drumfreis in maner and forme contenit in the formar proclamatioun, as thay salbe adverteist and commandit of new upoun sex dayis warning, conforme to the same proclamatioun and under the panis contenit thairin.

Mr. George Meldrum. Bynning.

Anent oure Soverane Lordis letters rasit at the instance of Maister George Meldrum burges of Craill, makand mentioun;—that quhair Richard Bynning messinger and Hary Lindesay burges of the said burgh, allegeand that in the moneth of Maii last bipast, in executioun of our Soverane Lordis letters chargeing certane personis inhabitantis of the said burgh to underly the lawis for the allegeit cruell hurting of Maister Thomas Kynneir minister at the Kirk of Craill, thay ressavit diverse offencis and injureis under silence of nycht, purchest letters be deliverance of my Lord Regentis Grace and Lordis of Secreit Counsale, chargeing the Baillies of the said burgh to exhibit and present befoir the said Lord Regent and Lordis foirsaidis the committaris of the saidis offencis at ane certane day bipast, under the pane of rebellioun and putting of the saidis Baillies to the horne; and as the said Maister George is informit, the saidis Richard and Hary hes causit execute the saidis letters upoun him as ane of the Baillies of the said burgh, quhairupoun the said Lord Regent and Lordis foirsaidis, upoun non comperance and not exhibiting of the saidis personis, hes ordanit him to be denunceit rebell and put to the horne. Howbeit the saidis pretendit letters ar verie injustlie and wranguslie execute aganis the said Maister George as ane of the allegeit Baillies foirsaidis, he naythir being Baillie nor having ony uther publict office within the said burgh the tyme foirsaid, nor yit wes the saidis letters execute ony wayis lauchfullie upoun him; and thairfoir the said pretendit charge gevin to him as allegeit Baillie foirsaid, with the letters of horning and executioun following thairupoun, aucht and sould be decernit to have bene of nane avale fra the begynning, and simpliciter suspendit in tyme cuming. And anent the charge gevin to the saidis Richard Bynning and Hary Lindesay purchessouris of the saidis letters, Williame Lord Ruthven Thesaurare to our Soverane Lord, Maisteris David Borthuik of Lochill and Robert Creichtoun of Elyok his Hienes advocattis for his Majesteis interes,—to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand with thame the saidis letters of horning and executionis thairof, to be sene and considerit, and to heir and se the said pretendit first charge gevin to the said Maister George as allegeit Baillie foirsaid, with the pretendit proces of horning following thairupoun, be decernit to have bene fra the begynning and to be in all tyme cuming, of nane avale force nor effect, and to be simpliciter suspendit upoun him for the caussis foirsaidis, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Maister George Meldrum comperand personalie, the saidis Maister David Borthuik and Richard Bynning being alsua personalie present, and the saidis Williame Lord Ruthven, Maister Robert Creichtoun, and Hary Lindesay being

oftymes callit and not comperand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, suspendis the saidis letters, effect thairof and proces of horning contenit thairintill upoun the said Maister George, in tyme cuming, ay and quhill thay be producit afoir his Grace and Lordis foirsaidis, and that he be warnit to the productioun thairof as efferis.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Joannes Comes de Montroise. Comes de Craufurd. Willelmus Dominus Ruthven Thesaurarius. Joannes Dominus Maxwell. Robertus Dominus Boyd. Dominus Levingstoun. Andreas Dominus Uchiltre. Joannes Dominus Hereis. Episcopus Glasguensis. Episcopus Brechinensis. Georgius Episcopus Moraviensis. Commendatarius Dunfermling. Commendatarius Newbottill. Quhittinghame. Clericus Justiciarie. Advocatus. [Holyrood House, 28th October.]

Proclamation to meit at Drumfreis.

Forsamekle as the Regentis Grace, with avise of the Nobilitie and Estaittis of the Realme convenit, hes deliberat in propir persoun to pas to the Bordouris of this realme for taking ordour thairwith,—the same being now troublit and inquietit be diverse stowthis, reiffis and utheris enormiteis attemptit be the disorderit and dissobedient subjectis inhabiting the boundis ewest the saidis Bordouris,—quhair it is neidfull that he be weill and substantiouslie accumpaneit. And thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of Lanark, Renfrew, Air, Wigtoun, Kirkcudbrycht, Drumfreis, and utheris places neidfull, and thair, be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindry Erllis, Lordis, Baronis, Frehaldaris, Landit Men, and Substantious Gentilmen, within the boundis of the Sherefdomes of Lanark, Renfrew, Air, Wigtoun, Drumfreis, Stewartreis of Kirkcudbrycht and Annanderdaill, and Baillieris of Kyle Carrik and Cunynghame,—that thay and ilkane of thame weill bodin in feir of weir, with xx dayis victuallis and provisioun, addres thame to meit the said Lord Regent at Drumfreis, the sextene day of November nix to cum, to attend on sic service and directioun as salbe gevin unto thame to the effect abonewrittin during the said space, under the pane of tinsell of lyff landis and gudis.

For collecting of a stent of iiii^{m} li.

Forsamekle as the peciabill and gude subjectis of this realme, inhabiting the cuntreis ewest the Bordouris, ar havelie oppressit be the stowthis, reiffis and utheris enormiteis of the thevis and brokin men dwelland upoun the saidis Bordouris; as alsua be thair frequent ryding and incursionis in Ingland, without redres, the peace betuix the twa realmis is sa endangerit, that without spedy remeid it may be the occasioun of mony and greit inconvenientis. And sen experience hes declarit that not onelie a present repressing of the thevis is requisite, bot sum ordinar force to be employed for a certane space to repres sic fugitives and outlawis as may ly out eftir

the ordour takin. Thairfoir, for supporting of the chargeis to be maid thairanent, the Estaittis convenit hes willinglie grantit ane taxatioun of four thousand pundis money of this realme, to be payit betuix, and the xv day of December nix to cum; that is to say, twa thousand pundis be the Spirituall Estate; twa thousand merkis be the Baronis and Frehaldaris, and ane thousand merkis, in compleit payment of the said taxatioun, be the Burrowis; and for inbringing of the spirituall mennis part of the said taxatioun, that letters be direct, chargeing all and sindry Bischoppis, Abbottis, and utheris beneficit personis contenit in the taxt roll, thair Chalmerlanis and Factouris, personalie or at thair dwelling places; and failyeing thairof, be oppin proclamatioun at the principall parroche kirkis of the benefice, upoun ane Sonday befoir none in tyme of devyne service; and at the marcat croce of the heid burgh of the schyre quhair the benefice lyis, to mak payment of that sowme that thay and ilkane of thame ar stentit to, to the officiar executor of the letters, within ten dayis nixteftir the charge, under the pane of rebellioun and putting of thame to the horne; and gif thay failye thairin, the saidis ten dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit and inbring all thair movabill gudis, etc.; and to charge the saidis officiaris to pay the same, or at the leist to d . . . dewlie execute and indorsat upoun the personis astrictit to pay the . . . Robert Colvile of Cleische Collectour Generall appointit to the said haill . . . tioun, betuix and the xxv day of December nix to cum, under the pane of rebellioun and putting of the saidis officiaris to the horne; and gif thay failye thairin, the said day being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.; and that the Prelattis and beneficit men for thair releif haif letters to charge thair frehaldharis, vassellis, subvassellis, ladiis of terce, conjunct fearis and lyferentaris, to mak payment of thair part of the said taxatioun pro rata at the day and within the space abonewrittin appointit thairto, under the pane of rebellioun, and failyeing thairof to put thame to the horne. And for the Baronis and Frehaldaris part, that thair be upliftit of every pund land of auld extent within this realme xvi đ. (oure Soverane Lordis propirtie and kirkland pertening to the kirk being exceptit), for payment quhairof that letters be direct, chargeing all and sindry Erllis, Lordis, Baronis and Frehaldaris, Sheriffis, Stewartis and Baillies, that thay and ilkane of thame within the boundis of thair offices, raise and uplift the said sowme of xvi đ. of every pund land of auld extent (except befoir exceptit), and inbring and deliver the same to the said Collectour Generall, under the said pane of rebellioun; and failyeing thairof to put thame to the horne and to escheit, etc.; and for thair releif, that letters be direct, chargeing all and sindry Erllis, Lordis, Baronis and Frehaldaris, to mak payment and deliverance to the saidis Shereffis, Stewartis and Baillies, ilkane of thame for thair awin part, of the said sowme of xvi đ. of every pundland of auld extent, within ten dayis nixt eftir thay be chargeit, under the pane of rebellioun; and failyeing thairof, the saidis ten dayis being bipast, to put thame to the horne; or ellis that

the Shereffis, Stewartis and Baillies poind and distrenye thairfoir as thay sall think maist expedient; and that the saidis Erllis, Lordis, Baronis and Frehaldaris haif siclyke letters for thair releif aganis ladiis of terce, life-rentaris, conjunct fearis and subwassellis. And for inbringing of the Burrowis part, that letters be direct, chargeing the Provest and Baillies of ilk burgh to mak payment of the taxt and extent thairof to the said Collectour Generall at the said day, under the said pane of rebellioun and putting of thame to the horne. And gif thay failye thairin, the said day being bipast, to put thame to the horne, and for thair releif that letters be direct, chargeing all and sindry the inhabitantis of ilk burgh to convene and elect certane personis to stent thair nychtbouris, and to command the personis electit to accept the charge on thame in setting of the said stent upoun the inhabitantis of ilk burgh, and to convene and set the same and mak ane stent roll thairupoun as efferis, within xxiiii houris nixt eftir thay be chargeit thairto, under the pane of rebellioun and putting of thame to the horne. And gif thay failye thairin, the saidis xxiiii houris being bipast, to denunce thame rebellis and put thame to the horne. And siclyke the said extent being sett, to charge the burgessis, nychtbouris, and inhabitantis of ilk burgh, to mak payment of thair partis of the said extent to the saidis Provest and Baillies, conforme to the taxt roll to be maid and gevin out thairupoun, within the space of thre dayis nixt eftir the charge, under the pane of rebellioun, and failyeing thairof, to put thame to the horne, and gif neid be, to poind and distrenye thairfoir.

Warning to gif in dittay and complaintis.

Forsamekle as the Regentis Grace, with avise of the Nobilitie and Estaittis of the realme convenit, hes deliberat in propir persoun to pas to the Bordouris of this realme for taking ordour thairwith, the same being now troublit and inquietit be diverse stowthis, reiffis, and utheris enormiteis attemptit be the disorderit and dissobedient subjectis inhabiting the boundis ewest the saidis Bordouris; quhairfoir, and to the effect that all partiis complenand pretend na ignorance, ordanis letters to be direct to gif warning to all and sindry his Hienes liegis that hes ressavit ony skayth be the stowthis, reiffis, and utheris enormiteis of the saidis disorderit and dissobedient subjectis sen the xxviii day of August, the yeir of God j^{m}v^{c}lxxiii yeris, present and gif in thair complaintis thairupoun to the Justice Clerk or his deputtis, quhilkis salbe reddy at Drumfreis awayting thairon, to the effect that the personis sa complenit on may be dewlie warnit and arreistit agane the xvi day of November nix to cum as thay wilbe servit.

Mr. Johnne Balfour.

We, be the tennour heirof, with avise and consent of oure rycht traist cousing, James Erll of Mortoun Lord of Dalkeyth, Regent to us oure realme and liegis, grantis licence to our lovit Maister Johnne Balfour archeare of the gaird of France, to depart furth of our realme to his service, and returne agane at his best commoditie, nochtwithstanding ony band or promeis maid be him heirtofoir in the contrair, quhairanent we dispens be thir presentis; commanding all maisteris and skipparis of schippis at the

sicht heirof to gif him passage. Gevin under our signet, and subscrivit be our said cousing and Regent at Haliruidhous, the xxix day of October, and of our regnne the nynt yeir, 1575.

[Holyrood House, 2d November.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Joannes Comes de Montrois. Willelmus Comes de Glencarne. Willelmus Dominus Ruthven. Robertus Dominus Boyd. Georgius Dominus Seytoun. Andreas Dominus Uchiltre. Episcopus Glasguensis. Episcopus Orchadensis. Episcopus Moraviensis. Episcopus Dunkeldensis. Dunfermling. Culros. Quhittinghame. Clericus Justiciarie. Advocatus.

Airis of Monze. Anent the supplicatioun presentit to my Lord Regentis Grace . . . of Secreit Counsale, be Jonet Creichtoun relict of umquhile Hary Dru . . . Richartoun, and George Drummond apperand of Balloch, makand mentioun;—that quhair umquhile Patrik Scott of Monye, deceissit xiiii or xv yeris syne, and the gift of the ward of his landis of Monye and utheris his landis, wes disponit be oure Soverane Lordis moder Quene for the tyme to the said George Drummond his airis and assignayis, togidder with the mariage of umquhile Petir Scott, than sone and apperand air to the said umquhile Patrik; and failyeing of him be deceis unmareit, the mariage of ony uther air or airis, maill or famell, of the said umquhile Patrik that happynnis to succeid to him in his landis and heretage, with all proffeittis of the said mariage, as the letters of gift maid under the Prevy Seill to the said George, his airis and assignayis, thairupoun, of the dait the xxvi day of September, the yeir of God j^{m}v^{c}lxiii yeris, at mair lenth proportis. And it is of veritie that upoun the xxiii day of September, the yeir of God j^{m}v^{c}lxvii yeris, the said George Drummond maid the said Jonet Creichtoun cessionar and assignay to the said ward and nonentres of the landis abonewrittin, maillis, fermis and dewiteis thairof, bayth bigane and to cum; and siclyke to the said mariage of the said umquhile Petir; and failyeand of him, the mariage of ony uther air or airis succeding to the said umquhile Patrik to his saidis landis, as the said assignatioun maid thairupoun at mair lenth proportis; quhilk assignatioun the said Jonet Creichtoun be hir procuratouris in hir name, upoun the penult day of August, the yeir of God j^{m}v^{c}lxxiii yeris, dewlie intimat to the said umquile Petir; and the said Jonet Creichtoun offerit to him—Helene Drummond, hir lauchfull dochter, gottin betwix hir and the said umquhile Hary Drummond, or Grissell Stewart, dochter to the Laird of Gartulie,—in his optioun, as partiis aggreabill to him in mariage; as ane instrument of intimatioun and offer tane thairupoun in the handis of Andro Drummond notar can testifie. Nevirtheles the said umquhile Petir, in the moneth of Apryle last bipast, deceissit unmareit, and Margaret and Issobell Scottis his sisteris ar apperand airis to the said umquhile Patrik; and the said Jonet Creichtoun, be vertew of the said gift and assignatioun maid to hir thairof, hes the undoutit rycht to the mariages of the saidis Margaret and Issobell Scottis dochteris and

apperand airis to the said umquhile Patrik, and aucht to have the keping of thame quhill thay be mareit. Nochtwithstanding thairof, letters ar direct at the instance of oure Soverane Lordis Advocattis, viz., Maisteris David Borthuik of Lochill and Robert Creichtoun of Elyok,—chargeing the said George Drummond to have exhibit and produceit befoir my said Lord Regentis Grace and Lordis foirsaidis, the saidis Margaret and Issobell Scottis at ane certane day bigane, under the pane of rebellioun, and gif he failyeit to put him to the horne. And trew it is that quhen the saidis letters wer execute upoun him he wes liand deidlie seik and his lyff disparit, and swa mycht not compeir and exhibit befoir my Lord Regentis Grace and Lordis foirsaidis the saidis Margaret and Issobell Scottis, as ane testimoniall gevin furth thairupoun be the minister of Glammis and presentit to his Grace and Lordis foirsaidis thairupoun beris; and swa the said George Drummond is justlie excusabill of the non exhibitioun of the saidis Margaret and Issobell, in respect of his seiknes foirsaid,—to quhais mariage the said Jonet Creichtoun hes undoutit rycht in maner abone-specifiit. And alwayis schö hes convoyit heir the saidis Margaret and Issobell for exhibitioun of thame befoir the said Lord Regentis Grace and Lordis of Secreit Counsale, under protestatioun that thay be restorit to hir agane as havand undoubtit rycht to thair mariages as said is; and thairfoir the saidis letters of horning execute upoun the said George Drummond aucht to be suspendit upoun him simpliciter in tyme cuming; humelie desyring thairfoir command to ane maser to warne oure saidis Soverane Lordis Advocattis, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day, to heir and se the saidis Margaret and Issobell Scottis exhibit and presentit be the saidis complenaris for satisfeing of the command of the foirsaidis letters of horning, and the samyn thairfoir to be suspendit upoun the said George Drummond in all tymes cuming, under protestatioun that the saidis Margaret and Issobell be restorit to the said Jonet agane, lyke as at mair lenth is contenit in the said supplicatioun; quhairunto the saidis advocattis being warnit to answer; and the said Maister David Borthuik comperand personalie, and the said Jonet Creichtoun comperand be Maister Thomas Craig hir procuratour, the said Maister Thomas presentit the saidis Margaret and Issobell Scottis personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun the formar conditioun; quhairunto the said Maister David Borthuik answerit, that our Soverane Lordis Thesaurare had speciall entres in the said mater, and that thairfoir he aucht to be warnit befoir ony thing be procedit towart the suspensioun of the saidis letters of horning upoun the said George. And forder, the said Advocat allegeit that the presenting of the saidis Margaret and Issobell upoun the formar conditionis na wayis satisfiis the saidis letters of horning and Act of Counsale quhairupoun the samyn procedit, be ressoun thay ar ordanit to be exhibit frelie without ony conditioun quhilk can not now astrict him to ressave thame ony uther wayis. Quhilk answer and allegeance with diverse utheris, the ressonis and allegationis of bayth the saidis partiis being hard and considerit be my

Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, findis that our Soverane Lordis Thesaurare aucht to be warnit befoir ony thing can be procedit upoun toward the suspensioun of the saidis letters of horning upoun the said George, becaus his Majestie hes speciall entres thairin; and als findis that the said Advocat sould not entir in ony conditioun with the said Jonet Creichtoun upoun the exhibitioun of the saidis Margaret and Issobell, bot that thay sould remane as exhibit frelie without conditioun, becaus of the formar Act and letters direct thairupoun in maner abone mentionat.

[Holyrood House, 3d November.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Willelmus Comes de Glencarne. Andreas Comes de Rothes. Georgius Dominus Seytoun. Willelmus Dominus Ruthven Thesaurarius. Andreas Dominus Uchiltre. Quhittinghame. Episcopus Glasguensis. Episcopus Orchadensis. Magister Willelmus Baillie Dominus Provand.

Hadingtoun.

Anent the complaint maid to my Lord Regentis Grace . . . of Secreit Counsale be the Counsale, merchandis and burgessis of the burgh of Hadingtoun, makand mentioun;—that quhair thay and thair predecessouris, according to the lawis, constitutionis and privilegis gevin to thame be the Kingis Majesteis predecessouris, hes bene in use of electing, nominating, lyting and chesing of Provest and utheris officiaris within the said Burgh past memor of man, but interruptioun or impediment; quhill now laitlie that Johnne Dowglas present Provest, being ane craftisman, be his perswasioun hes seduceit the haill Deaconis to his vote being of greittar nowmer nor the rest of the Counsale. And attour thair being bot twa of the cordinar craft, and uther twa of the wobstar craft within the said burgh, the ane being defamit and under dangeare of the law, and the uther not valiabill the Kingis unlaw,—thay being alsua without knawlege or jugement; the said Provest notwithstanding hes chosin ane of the saidis personis of ilk craft to be Dekin, albeit thair wes nevir ane dekin of ony ane of the saidis craftis in tyme bigane; nayther ar thay authorizit or privilegeit be the seill of caus as fremen within the said Burgh, nor yit ar thay of sic nowmer, presentlie, quhairthrow a Dekin is requisite; bot this forme of proceding is purposlie done for continewing of the said Johnne Dowglas in Provest yeirlie in tyme cuming, and for the electing of sic personis to the Baillies and utheris publict officiaris, as being without knawlege discretioun or honestie, sall bring all thingis to a confusioun; swa that not onelie sall the auld ancient lawis and privilegis grantit to the saidis complenaris be oure Soverane Lordis predecessouris, be pervertit abrogatit and brokin, bot within schort proces of tyme the said burgh salbe brocht to utter distructioun, alsweill to the owerthrow and disconfort of honest discreit and wyise personis, as to the hurt of this haill commoun weill gif remeid be not providit; seing the saidis Dekynnis ar presentlie and at all tymes appointit and placeit be the said Provest upoun the

Counsale, honest and discreit men debarrit, and sic irreverend speking, sayand and avowand—quha dar say it is evill done? as heirupoun seditioun and discord is movit, quhilk will not faill to bring on bludesched gif haistie remeid be not providit. And anent the charge gevin to the said Johnne Dowglas Provest of Hadingtoun, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaint, as the samyn executioun and indorsatioun thairof at mair lenth proportis. Quhilk being callit, and David Forest and Johnne Seytoun burgessis of the said burgh, comperand personalie for thame selffis, and in name of the Counsale, merchandis and utheris burgessis of the same—being authorizit sufficientlie be thair commissioun; and the said Johnne Dowglas comperand alsua personalie with Maister Henry Makcalyeane his Prelocutor. The ressonis and allegationis of bayth the saidis partiis being hard and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, findis in respect of the few nowmer of the saidis twa craftis, that na Dekin is requisite to thame, and thairfoir dischargeis be thir presentis the present Dekynnis, gif ony be ellis nominat or chosin, of all using of the office or charge of a Dekin, or taking of the name or authoritie thairof upoun thame in tyme cuming, and of thair office in that part.

[Holyrood House, 6th November.] Thre sturis to the Conservatour of every sek of gudis.

The quhilk day the Regentis Grace and Lordis of the Prevy Counsall, understanding that the Commissaris of Burrowis laitlie convenit within the Burgh of Edinburgh, be thair publict consentis, hes gevin and grantit to Maister George Halkett, Conservatour of the privilegis of the Scottis natioun in Flanderis, sex sturis of every sek of gudis pertening to the marchandis of this realme arryving in the partis of Flanderis, attour and abone the twa sturis quhilk he had of auld; and that for interteneing of his chargeis in executioun of his office within the saidis partis, during the tyme of the present troublis quhairwith that cuntreis ar inquietit, as the gift of the saidis Commissaris of Burrowis maid to him thairupoun at mair lenth proportis. And the Regentis Grace and Lordis of Secreit Counsale foirsaidis, considering the thankfull, diligent and gude service of the said Conservatour done in his said office for the honour and weill of the haill natioun, and for diverse utheris ressonabill caussis and considerationis moving thame, hes ratifiit and apprevit, and be vertew of this present gift, ratifiis and apprevis the said gift and grant maid be the saidis Commissaris of Burrowis in all pointis. And further respecting that the saidis sex sturis grantit be the saidis Commissaris is not sufficient for bering of the chargeis of the said Conservatour, and that thay had not power nor authoritie to compell the skipparis, marinaris and awnaris of schippis resortand in the said cuntre to beir burding with him in that behalf, his panis, travell and expensis being indifferentlie maid alsweill upoun the skipparis and marinaris as upoun the merchantis;—thairfoir the Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, hes grantit and appointit to the said Maister

George, Conservatour foirsaid, thre sturis on the sek of all gudis brocht in the saidis partis of Flanderis be the saidis skipparis, marinaris and awnaris, to be upliftit on the fraucht of all schippis arryving in the same partis at sic tymes as thay sall cum thairto, and to induir sa lang as the present troublis continewis in Flanderis, and quhill ane uther ordour be takin with him, for his intertenyment as said is; and that letters be direct for publicatioun heirof be oppin proclamatioun at the marcat croces of all the Heid burrowis of this realme and utheris places neidfull, that nane pretend ignorance of the same; with power in the same to the said Conservatour and his officiaris, to poind and distrenye, alsweill for the saidis sex sturis grantit to him be the saidis Burrowis, as for the saidis thre sturis of the sek pertening to the saidis skipparis marinaris and awnaris, of quhatsumevir Scottis schippis arryving in thay partis in dew and competent forme as efferis.

Charge to gif up a inventure of all gudis arryvand in Flanderis.

The quhilk day the Regentis Grace and Lordis of Secreit Counsall, understanding the greit and many inconvenientis dalie arrysing within this Realme throw the multitude of salaris travelling furth of this realme to the partis beyond sey, and specialie to the partis of Flanderis,—alsweill fremen as unfremen, tolerand unfremennis gudis, carying away forbodin and uncustumat gudis, and sailing with unsufficient stuff, in tymes alsua prohibit and unaccustumat,—contrary to . . . Parliament, and not onelie to the hurt and prejudice of oure Sover... and defraude of his custumis, bot to the dishonour of the . . . tioun and dampnage of the commoun weill; and having deliberat . . . the best remedy for eschewing the saidis disorderis and inconvenientis in tyme cuming, hes fund na thing mair convenient than to comptroll the saidis sailaris at thair landing places, specialie in Flanderis; and thairfoir ordanis letters to be direct, commanding and chargeing all merchandis, skipparis, maisteris, awnaris and clerkis of the schippis or gudis of this realme, arryving within quhatsumevir portis, havynnis or places of the cuntre of Flanderis, that thay and every ane of thame, at thair first arryvall and befoir thay losse or brek bowke of thair waires and merchandice,—exhibite and deliver to Maister George Halkett Conservatour of the privilegis of the Scottis natioun remaning in Flanderis, ane just entres and inventure of all the gudis, geir, or merchandice within thair schip or schippis, pertening to the merchandis, marinaris, maisteris of schippis, clerkis, or awnaris quhatsumevir,—with expres declaratioun be name and sirname to quhome the saidis gudis appertenis; to the effect that the saidis inventouris being registrat or kepit be the said Conservatour, it may be considerit or comptrollit, quhidder the saidis merchandis and sailaris hes travellit and delt trewlie and on na wayis transgressit the saidis lovabill Actis and Actis of Parliament or not; under the pane of confiscatioun of all the saidis gudis and wairis that sal happin to be concelit and left ungevin up in thair said entres, and ten pundis Flemyng for amendis arbitrall; of the quhilk confiscatioun and amend the thrid salbe inbrocht to the use of our Soverane Lord, quhairof the said Conservatour salbe haldin every yeir to mak compt rekkynning and payment be him self or his sub-

stitutis in our Soverane Lordis Chekker, and to deliver the same to his Majesteis Thesaurare for his Hienes use; the thrid to the reveilar and declarare; and the last thrid to the said Conservatour for his laubouris; and this present Act and ordinance quhill the nixt Parliament or conventioun generall, and thaireftir quhill expres derogatioun be maid unto the same, to induir.

[Dalkeith, 13th November.] Davidsonis of Birnyrig.

Forsamekill as Robert Davidsoun and George Davidsoun brethir to James Davidsoun of Birnyrig, and Williame Hall in Burnpegla, having committit diverse odious crymes and offencis in tymes bigane in the cumpany of Sir Thomas Ker sumtyme of Fairnyhirst knycht; upoun humble sute maid be Richard Rutherfurde Provest of Jedburgh and utheris, thair weill willaris and freindis, oure Soverane Lord and his present Regent hes ressavit the saidis personis in thair favouris, and he grantit thame remissioun for the saidiscrymes; and thairfoir the said Richard Rutherfurde, Williame Alie and Williame Rutherfurde, Baillies of Jedburgh, and the said James Davidsoun, ar becum actit and obleist, conjunctlie and severalie, for the saidis personis, that thay sall behave thame selffis as gude and dewtiful subjectis to our said Soverane Lord, his said Regent and authoritie, in obeying and serving thame in tymes cuming as faythfull subjectis; and sall releif King and Warden for ony offence committit or to be committit be thame aganis the subjectis of England during the tyme of the peace; and sall entir thame befoir his Grace and Counsale upoun xv dayis warning quhen thay salbe requirit, to underly sic ordour as salbe appointit for the offences that salbe laid to thair chargeis committit be thame heireftir; and that under the pane of fyve hundreth pundis for ilkane of the saidis thre personis. In witnes of the quhilk thing the personis abonewrittin hes subscrivit thir presentis with thair handis as followis, day, yeir and place foirsaidis, befoir thir witnessis: Johnne Carmichaell youngar of that Ilk, George Auchinlek of Balmanne, Mongo Carmichaell and Alexander Lawsoun, notar publict, with utheris diverse. Sic subscribitur: Williame Allesone with my hand. Williame Rutherfurde with my hand. Richard Ruthirfurde and James Davidsoun with our handis led on the pen be the notar underwrittin at our command, becaus we can not wryte. Ita est ut premittitur Alexander Lawsoun notarius publicus de mandato dictarum personarum, scribere nescientium ut asseruerunt, testante manu propria subscripsit.

Clerk of the Prevy Counsale. It is oure will that souirtie be ressavit for Thomas Ker, Andro Hering, and James Futhy, now being in ward within the Castell of Blaknes, that thay being relevit furth of the same, sall within ten dayis thaireftir pas and remane on the north syde of the watter of Dee, and on na wayis cum be sowth the said watter without leif or command, and to do nor attempt na thing in hurt or prejudice of oure Soverane Lord, us or his Hienes realme and liegis; and in like maner that thay sall re-entir agane in ward within the said Castell—or sic uther ward as thay

salbe chargeit in,—on ten dayis warning, ilk persoun under the pane of ane thowsand pundis. Subscrivit with our hand at Biggar the xiiii day of November, the yeir of God j^{m}v^{c}lxxv yeris.

[Dumfries, 21st November.] Forsamekill as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsale, that sen his Graces cuming and reparing in this cuntre the outlawis and utheris brokin men inhabiting the Bordouris of this realme, hes put and placeit thair movabill gudis in the handis of diverse thair nychtbouris and prevy favouraris, to be usit and kepit to thair behuif and utilitie; and utherwayis hes resort and refuge in thair houssis, assistit, fortifiit and furneist be thame in meit, drink and utheris thair necessaris; quhairthrow not onelie ar the saidis thevis encourageit in thair wickit and evill deidis, bot als our Soverane Lordis authoritie is proudlie contempnit and vilipendit; and thairfoir my Lord Regentis Grace, with avise of the saidis Lordis, ordanis ane officiar of armes, to pas to the marcat croce of Drumfreis and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie command and charge all and sindry his Majesteis liegis, that nane of thame tak upoun hand to assist, fortifie, or tak part with the saidis thevis and outlawis, or sic utheris as salbe proclamit fugitives eftir this present justice court,—or gif thame meit, drink, hous or herbry, or yit resset thair gudis or geir, or schaw thame ony favour under quhatsumevir cullour or pretens,—under the pane to be repute and haldin as art and partakaris with thame in thair thiftuous and wickit deidis; certifeing thame and thay do in the contrair, thay salbe usit demanit and persewit indifferentlie with the saidis thevis, and as gif thay committit thift with thair awin handis,—as alsua thair haill gudis and geir sal be uptakin and intromettit with as escheit with all rigour and extremitie in exempill of utheris.

[Dumfreis, 2d December.] Forsamekill as it is now understand to the Regentis Grace and Lord of the Prevy Counsale, that the cheif cause of all the stowthis and utheris disordouris committit within ayther of the realmes be the wicked and inobedient subjectis inhabiting the frontiers of baith, is the ressett supplie consort and ayd gevin to the fugitives rebellis and outlawis of ane realme, within the uther, eftir the malifactouris have schewin thame selffis inobedient to thair awin Soverane Prince and his officiaris; quhilk hes the rather past ower without dew punishment in tyme bipast, becaus of the negligent executioun of the lawes and treateis accordit thairupoun of befoir. Quhairfoir the Regentis Grace, with avise of the Counsale, ordanis ane herauld, masyr, or uther officiar of armes, to pas to the marcat croce of the burgh of Drumfreis, and thair be oppin proclamatioun in oure Soverane Lordis name and authoritie, to command and charge all and sindry his Hienes liegis dwelland within the boundis of the West Wardanry of this realme foranent England, that nane of thame presume or tak upoun hand to ressett, supplie, intercommoun—or schaw favour in geving of meit drink hous or herbry—to the rebellis, fugitives or outlawis of England; with

certificatioun to thame that dois in the contrair, thay salbe fylit and deliverit to the opposite Wardane, to be puneist as the saidis rebellis fugitives and outlawis thame selffis aucht to have bene, according to the lawis and aggrement of the commissioneris, without ony favour in tyme cuming.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Joannes Comes de Montrois. Patricius Dominus Lindesay. Laurencius Dominus Oliphant. Dominus Sinclair. Magister Willelmus Baillie Dominus Provand. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Commendatarius de Balmerynoch. Clericus Registri. Advocatus. [Holyrood House, 14th December.]

Anent the Convoy of the Plegeis.

Forsamekle as the new troubill and dissobedience attemptit be sindry of the thevis and brokin men inhabiting the Bordouris, constrenit laitlie the Regentis Grace, with a nowmer of nobill men and utheris, the Kingis Majesteis gude subjectis, to repair to Drumfreis, quhair his Grace having causit executioun of justice to be made upoun certane of the offendouris and mony greit offencis bipast to be redressit and satisfiit to the contentment of the complenaris; in end for the bettir rewle to be observit in tyme cuming, his Grace hes brocht in certane plegeis and utheris maist disorderit personis with him, to be placeit in the incuntre with the nobill men, baronis and utheris having gude houssis, seing the Kingis Majesteis awin houssis ar not weill abill to detene sic a multitude as necessarlie for his gude occasioun mon be kepit. And his Grace and Lordis of Secreit Counsale finding be experience the greit inconvenient that hes followit upoun the negligent keping and letting to libertie of sic as wer ressavit plegeis for the lyke occasioun in tymes bigane,—be ressoun the personis quhilkis ressavit thame not being bound nor astrictit to thair keping under ony certane pecuniall pane, wer the les cairfull of thair custody, bot gaif thame libertie to returne in thair cuntreis at thair awin appetyte,—quhairthrow thair wes na certantie of thair remaning, nor of ony constant gude rewle in the brokin cuntreis be the maner of thair bipast keping. Thairfoir the Regentis Grace, with avise of the Lordis of Secreit Counsale, hes statute and ordanit that all personis to quhome the saidis plegeis and utheris disorderit personis beis directit be his Grace, sall ressave thame and suirlie keip thame in firmance, on na wayis letting thame eschape, or eschew, on band, or utherwayis quhill thay be fred and relevit be our Soverane Lord and his said Regent, ilkane under the pane of twa thowsand pundis money of this realme; and in caise thay dissobey or failye thairin, being callit and adjugeit to have incurrit the said pane, thair reddiest gudis, geir and landis salbe poindit and apprysit thairfoir to our Soverane Lordis use. And to the effect that nane sall pretend ignorance heirof, ordanis letters to be direct to command and charge sic nobill men, baronis and utheris personis, as his Grace hes appointit the saidis plegeis and utheris disorderit personis to be placeit and remane with, all quhais names salbe gevin in bill, to ressave ilkane the persoun presentit unto him contenit in the said bill, and to keip him suirlie in

firmance, on na wayis letting him eschaip or eschew on band or utherwayis quhill he be fred and relevit be oure Soverane Lord and his said Regent; ilk persoun under the said pane of twa thowsand pundis money foirsaid; and als to command and charge the Provest and Baillies of ilk Burgh, Citie, Throuchfair, Toun, or place of strenth, being in the way throw the quhilk the saidis plegeis and utheris salbe convoyed to the places of thair remaning in ward, to ressave the same plegeis and utheris in thair tolbuithis, wardis, or strenthis, and to keip thame suirlie, and hald watche and ward to that effect for ane or ma nychttis, quhill the personis appointit to thair convoy may pas furthwart with thame to the personis and places appointit, as the saidis Provest, Baillies, and utheris officiaris, will answer upoun thair obedience at thair uthirmest charge and perrell, and under the said pane of twa thowsand pundis of all and quhatsumevir personis that sall do in the contrair. And attour, for the sure convoy of the saidis plegeis and utheris disorderit personis to the places quhair thay ar or salbe appointit to remane and be kepit in ward, ordanis likewyis letters to be direct, chargeing the Sheref, Stewart, or Baillie, of ilk schyre and cuntre throw the quhilk thay ar to repair, to ressave thame upoun the dayis and places appointit be his Grace and Counsale, and contenit in ane ordinance subscrivit be the Clerk thairof; and swa to convoy thame suirlie quhill thay be deliverit to the Sheref or Officiar of the nixt schyre or cuntre; or than deliverit and placeit in the rowmes and houssis appointit for thair warding; and swa fra Sheref to Sheref quhill thay be suirlie placeit according to the forme and ordour prescrivit in the said ordinance, as the saidis Shereffis, Stewartis and Baillies will answer at thair uttirmest charge and perrell, and under the foirsaid pane of twa thowsand pundis of every ane of thame failyeing or doing in the contrair.

[Holyrood House, 15th December.] Anent the techeing of ane forme of grammar.

My Lord Regentis Grace and Lordis of Secreit Counsale, understanding that it is convenient and proffittabill for the upbringing of the yowth within this realme, that thair be onelie ane forme of grammar techeit in all the grammar scuillis thairof; and to the effect that the same may be aggreit be commoun consent of certane of the maist leirit Scolemaisteris, ordanis letters to be direct to charge Maister George Buchannane, or Maister Petir Young, preceptouris to the Kingis Majestie, Maister Thomas Buchannane, Maister Williame Robertoun, Maister Andro Symsoun, Maister James Carmichaell, Maister Patrik Auchinlek, scolemaisteris of Striveling, Edinburgh, Dunbar, Hadingtoun and Sanctandrois—to compeir personalie befoir the Regentis Grace and Lordis of Secreit Counsale, at Haliruidhouse, or quhair it sal happin thame to be for the tyme, the tent day of Januare nix to cum, to gif thair advise anent that forme of grammer that salbe techit in all the scuillis within this realme in tyme cuming, as thay will declair thair gude affectionis to the furtherance of sa necessary a werk, and answer upoun thair obedience in that behalf.

Protestation Devy.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Thomas Devy burges of Abirdene, and producit ane

copy of oure Soverane Lordis letters, quhairwith he allegeit him to be chargeit to compeir befoir my said Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast,—to answer to ane complaint maid be Kathrene Ratray, relict of umquhile Johnne Ewin burges of Abirdein, and Alexander Ewin thair sone,—as assignayis constitute be James Johnnestoun donatour, and havand of oure Soverane Lord the escheit of the said umquhile Johnne,—anent the allegeit ressaving and selling in Flanderis of certane gudis and geir quhilkis pertenit to the said umquhile Johnne, and refusing of payment and delivery to the said Kathrene of the sowmes of money ressavit be the said Thomas thairfoir, lyke as at mair lenth is contenit in the copy foirsaid of the saidis letters. Quhairunto the said Thomas being reddy to answer; and in respect that the saidis Kathrene and Alexander comperit not to persew, being oftymes callit to that effect be the said copy; the said Thomas Devy protestit that he sould not be haldin to answer to the saidis letters, nor na forder proceid aganis him be vertew thairof, quhill he wer newlie warnit and his expenssis modifiit as efferit; quhilk protestatioun my Lord Regentis Grace, with avise of the saidis Lordis, admittit.

[Cupar-Fife, 28th December.] Johnne Striveling of Eister Braky. Lady Ogilvy.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne Striveling of Eister Breky, makand mentioun;—that quhair upoun the xii day of November last bipast, he presentit to his Grace ane writting, complening upoun the oppressioun done and committit sindry tymes aganis the said Johnne Striveling be Jehane Forbes Lady Ogilvy,—her servandis, tenentis, complices and utheris in hir name,—of hir causing, command, assistance and ratihabitioun,—in the distructioun, douncasting and dimolissing of his myln hous, utheris houssis and biggingis pertening to him, and his tenentis upoun his heretage; and eftir the committing of the foirsaidis oppressionis in the menetyme of his being at the said Lord Regent complening thairupoun, at the tyme abone writtin, the said Lady persevering and continewing in hir oppressioun in the said Johnnes absence, be hir self, hir houshald, servandis, tenentis of Boischen, Farnniuvell, Kynnell and Carcare; and utheris hir complices of hir causing and command as said is, to ane greit nowmer bodin in feir of weir, under silence of nycht disagysit,—come to the said Johnnes hous in Eister Braky, and persaving his absence, and that thay could not apprehend him to execute thair purpois, cruellie kaist doun and distroyit his tenentis houssis, and dimolissit thame to the ground, and put violent handis in thair personis, tuke thame nakit furth of thair beddis, and sylit thair eyis unto the tyme thay had distroyit the saidis houssis, and usit thame selffis, thair gudis and geir being thairintill, at thair plesour; quhairthrow sensyne his said mylne, houssis, and utheris biggingis distroyit and douncastin as said is, hes lyne doun, and he and his puyr tenentis allutirlie hereit and wrakkit for evir. And anent the charge gevin to the said Jehane Forbes to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaint, as the same with the

executioun and indorsatioun thairof at mair lenth proportis. Quhilkis being callit, bayth the saidis partiis comperand personalie, thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsale, and thai ryplie avisit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Lady Ogilvy, of hir awin consent, and in name of James Lord Ogilvy hir spous,—be thame selffis, thair freindis, men, tenentis and servandis, and all utheris that schö may lett,—to desist and ceise fra all troubling or impediment making to the said Johnne Striveling, his men, tenentis, or servandis, in the peciabill brouking, josing and using of the said myln in tyme cuming at his pleasour, ay and quhill he be lauchfullie callit and ordourlie put thairfra be the law.

[January.] Cautioun for Adam Gordoun.

The quhilk day, Hew Erll of Eglintoun, Lord Elphinstoun, Alexander Lord Levingstoun, and James Cheisholme of Cromlix become actit and obleist as cautionaris and souirteis, conjunctlie and severalie, for Adam Gordoun of Auchindoun; that the said Adam being fred and relevit out of his ward within the Castell of Blaknes, quhair he presentlie remanis, sall within aucht dayis thaireftir entir his persoun in ward within the burgh, of Kirkcudbrycht, and remane within the samyn and ten mylis thairabout; or at the farthest quhen it sal happin him to pas to the place of Kenmure, sall remane thairin and twa mylis about the same,—being alsua permittit unto him attour the saidis boundis of ten mylis, and on na wayis eschape nor eschew out of the saidis boundis respective, ay and quhill he be fred and relevit be oure Soverane Lord and his Hienes Regent. And siclyke that the said Adam during his remaning in the said ward, sall behave himself dewtifullie and on na wayis practize, do, or attempt ony thing in hurt and prejudice of oure Soverane Lord, his realme and liegis, under the pane of ten thowsand merkis. And the said Adam faythfullie obleist him and his airis to releif and keip skaythles the saidis souirteis of the premissis and of all pane and dangeare that thay sal happin to sustene thairthrow. Sic subscribitur: Adam Gordoun of Auchindoun. Eglintoun. A. L. Elphinstoun. Alexander M. Levingstoun. James Cheisholme of Cromlix.

[Bog of Geych and Blakness, January.] Releif of Adam Gordonis Cautionaris.

The quhilk dayis, George Erll of Huntly Lord Gordoun and Badyenoch, etc., and Adam Gordoun of Auchindoun his broder, become actit and obleist, conjunctlie and severalie, in the bukis of oure Soverane Lordis Secreit Counsale, to freith, releif and keip skaythles the Honorabill Hew Erll of Eglintoun, Lord Elphinstoun, Alexander Levingstoun, and James Cheisholme of Cromlix, and ilkane of thame, of the act and cautioun in the quhilk thay ar actit for the remaning of me the said Adam in the toun of Kirkcudbrycht and Kenmure respective, and boundis about the same, contenit in the said Act, of the sowme of ten thowsand merkis contenit thairintill, and of all dampnage, entres and skaith that ony of the saidis cautionaris may inrin thairthrow ony way, and of all uther heidis, articles or pointis contenit in the said Act quhairby thay may be prejugeit, in caise

of contraventioun of the same; and heirto we bind andobleissis us, oure airis, executouris and assignayis upoun our honour and lawtie, and consentis that letters of poinding or horning be direct heirupoun gif neid requiris at ony of the saidis cautionaris instance in forme as efferis. Sic subscribitur: George Erll of Huntlye. Adam Gordoun of Auchindowne.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Joannes Comes de Montrois. Patricius Dominus Lindesay. Adam Episcopus Orchadensis. Marcus Commendatarius de Newbottill. Computorum Rotulator. [Holyrood House, 19th January.]

Anent oure Soverane Lordis letters rasit at the instance of Alexander Portuous of Pendony, makand mentioun;—that quhair fyve yeir syne or thairby, he maid lauchfull warning to Williame Colyeare and George Multray, pretendit tenentis and occupiaris of his fyve pund land of Eister and Wester Pendony, with the pertinentis pertening to him in heretage, —and James Schaw of Sawchy for his interes,—to have removit thairfra, conforme to the quhilk the said Alexander persewit thame befoir the Lordis of Sessioun, and obtenit decreit of removing with letters thairupoun in all the four formes,—chargeing the saidis tenentis and Laird of Sawchy to have removit thame selffis, thair servandis, famileis, subtenentis, cottaris, gudis and geir furth and fra the foirsaidis landis; to be enterit to, broukit, set and usit be the said Alexander at his pleasour, as the saidis decreit and letters beris. At command of the quhilkis, Thomas Ramsay, messinger, upoun the fyft day of Julii, the yeir of God $j^{m}v^{c}lxxiii$ yeris, past with the saidis letters, to have chargeit the said Laird of Sawchy; and the said messinger, beand rydand betuix Clakmannane and Sawchy to that effect, and the said James Schaw of Sawchy, accumpaneit with four uther horsmen his servandis, in the menetyme come upoun the said officiar with drawin swerdis, chaissit and followit him ane myle of gait, —and being ourtakin, wes be force tane and careit presonar to the place of Sawchy, quhair the said Lard and his servandis reft the saidis letters fra him, held and kepit him captive be the space of twa houris; and thaireftir deliverand the saidis letters to the said messinger agane, commandit him upoun his lyff that he gaif na forder chargeis to the said Laird nor tenentis of the saidis landis, and to that effect causit certane horsmen wait upoun him quhill he wes past ower the Watter of Forth, as the said officiaris executioun and indorsatioun in the self beris; lyke as at all tymes quhen the said Laird was summond with the saidis tenentis, to heir proces led aganis thame, he causit tak the officiaris and Shereffis in that part, and reft the saidis letters fra thame, and held thame presonaris ane certane space; quhill the said Alexander wes constranit at every tyme to seik the warrand at the Signet, raise new letters and execute the same agane at ilk dyett, to his greit chargeis and expenssis. And now quhen the said Alexander hes obtenit decreit, in executioun thairof, the officiaris are tane presonaris, the letters reft fra thame and thay dischargeit of executioun thairof, upoun pane Lard of Sawchy.

of thair lyffis, lyke as thair wer nowther prince nor law within this realme, in proude and heich contemptioun of our Soverane Lord and of all gude ordour and justice. And anent the charge gevin to the said James Schaw of Sawchy, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the said complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof; the said Alexander Portuous comperand personalie, and the said James Schaw being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing officiaris of armes to pas and denunce the said James Schaw oure Soverane Lordis rebell, and put him to the horne, and to escheit, etc.

[Holyrood House, 24th January.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Joannes Comes de Montrois. Willelmus Dominus Ruthven Thesaurarius. Laurencius Dominus Oliphant. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Clericus Justiciarie.

[Alexander Lowrie, Lord Seyton's porter, denounced for not appearing on citation.]

[Holyrood House, 28th January.]

[Patrick Vaus of Barnbarroch and John Wallace of Craigy, sureties that Gilbert Earl of Cassillis and Thomas Kennedy of Bargany shall bring George Corry of Kelwood and John Corry his brother's son, before the Council, "as haill men and feir," so that order be taken for their detention at Maybole and Thomaston, etc.]

[Holyrood House, 31st January.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Joannes Comes de Montrois. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Alexander Dominus Saltoun. Joannes Dominus Hereis. Allanus Dominus Cathcart. Episcopus Dunblanensis. Episcopus Brechinensis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill.

Anent the Passage to and fra Orknay.

Forsamekill as my Lord Regentis Grace and Lordis of Secreit Counsale, considering the mony and diverse complaintis maid be sindry inhabitantis of the cuntreis of Orknay and Zeitland and utheris oure Soverane Lordis liegis restorand thairto; how that not onelie ar thay havelie troublit hereit and oppressit be cumpaneis of suddartis and utheris brokin men now remaning in the saidis cuntreis, dependaris upoun Lord Robert

Stewart, bot als ar sa haldin under thraldome and tyranne that thay can haif na passage nowther be sey nor land to repair to thir partis to complene heirupoun, and sute redres and remeid be the cours of justice, nor yit to do utheris thair lefull erandis and bissines as oure Soverane Lordis fre liegis,—being expreslie inhibit thairto be proclamatioun, and the ferreis and all utheris commoun passages stoppit be the saidis suddartis and utheris berand charge of the said Lord Robert,—quhairthrow the saidis cuntreis and inhabitantis thairof is abill to be allutirlie wrakkit and hereit for evir, and oure Soverane Lord thairby greitlie prejugeit gif remeid be not providit in tyme; and thairfoir ordanis letters to be direct, chargeing all and sindry personis berand charge of the said Lord Robert and utheris personis quhatsumevir, that thay suffer and permit the inhabitantis of the saidis cuntreis and utheris oure Soverane Lordis liegis restorand thairto, to have fre passage to and fra the samyn for doing of thair lefull erandis and bissines at thair pleasour; and to mak na stop troubill nor impediment to thame thairintill in tyme cuming, under quhatsumevir cullour or pretens, under the pane of rebellioun and putting of thame to the horne; and gif thay failye thairin, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Murdo M^cClayne. Johnne M^cClayne.

Anent oure Soverane Lordis letters rasit at the instance of Murdo M^cClayne of Lochbey, within the Yle of Mule, makand mentioun;—that quhair Johnne M^cClayne his sone and apperand air hes usit himself verie uncourtes toward the said Murdo his fader, quha is ane aigit decrepit man of four scoir yeris, contrair bayth the law of God and nature, this lang tyme bigane; and in speciall be intrometting with and uptaking the said Murdois haill maillis, fermis and dewiteis, and disponing thairupoun at his pleasour; and be stopping of the said Murdo to hald court and plaint upoun his fre tenentis, and compelling of thame to dissobey and not to answer to him thairintill, he being ane fre baroun infeft, with all fre liberteis of fre barony; and thair is sindry tenentis to quhome he hes set his landis for maillis and dewiteis quhilkis his said sone stoppis thame to laubour, and compellis the puyr men to leif the samyn, quhairthrow ane greit part of his saidis landis is laid waist and void,—and dalie makis convocatioun of oure Soverane Lordis liegis in weirlicmaner, and maisterfullie reiffis and oppressis the said Murdo and utheris his sonnis, and specialie Allane M^cLauchlane and Ewest M^cClayne, on na wayis suffering thame to intromet with, laubour and manure thair landis and possessionis. And anent the charge gevin to the said Johnne M^cClayne, to have comperit befoir my Lord Regentis Grace and Lordis of Secrete Counsale at ane certane day bipast, to have answerit to the said complaint, under the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The said Murdo comperand be Maister Lauchlane M^cClayne his sone, and the said Johnne M^cClayne being oftymes callit and not comperand, my

Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct to denunce the said Johnne M°Clayne our Soverane Lordis rebell, etc., and to escheit, etc.

[Holyrood House, 4th February.] Cassillis. Bargany. Kelwod.

The quhilk day, George Corry of Kelwod and Johnne Corry his broder sone, being presentit afoir my Lord Regentis Grace and Lordis of Secreit Counsale, Gilbert Erll of Cassillis and Thomas Kennedy of Bargany wer inquirit to propone gif thay had ony ressonabill caus quhy the saidis George and Johnne Corryis sould not be set at libertie; quhilkis personis schew na speciall caus. Quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis, decernis and declaris the saidis George and Johne to be fre and at libertie to pas as oure Soverane Lordis fre liegis in tyme cuming at thair pleasour.

[Patrik Vaus of Barnbarroch and Johnne Wallace of Cragy protested that they had produced George and Johnne Corryis, and thus they were relieved of their surety.]

[Holyrood House, 6th February.] Proclamatioun to meet at Striveling.

Forsamekill as my Lord Regentis Grace and Lordis of Secreit Counsale, considering the mony and diverse heirschippis, oppressionis and slauchteris done and committit of lait within the boundis of the Levenax and Stewartrie of Stratherne; and how diverse personis, luffaris of unquietnes and ennemeis to this commoun weill, mair respectand thair awin particular querrellis nor the quietnes of the cuntre, continewis in thair bludy crueltie without feir of God, reverence of oure Soverane Lord, and as thair wer na authoritie abone thair heidis; for punisement of quhilkis attemptattis and reduceing of all thingis to ane gude and quiet estate, to the confort and ease of the puyr oppressit subjectis, my Lord Regentis Grace myndis in propir persoun to pas throw the saidis boundis, for quhilk purpois it is necessar that he be weill and substantiouslie accumpaneit with oure Soverane Lordis gude subjectis; and thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, command and charge—all and sindry his Majesteis liegis betuix sextie and sextene yeris and utheris fensabill personis dwelland within the boundis of the Sherefdomes of Striveling, Dunbartane, Clakmannane, Stewartrie of Stratherne and within the boundis of Baquhidder,—be oppin proclamatioun at the marcat croces of the heid burrowis of the same, that thay and ilkane of thame weill bodin in feir of weir, with ten dayis victuallis and provisioun, addres thame selffis and be in reddines to meit my said Lord Regentis Grace at Striveling,—as thay salbe adverteist of new upoun xlviii houris warning,—to pas furthwart as thay salbe commandit to the effect abovewrittin, under the pane of tinsell of lyff, landis and gudis.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes de Angus. Gilbertus Comes de Cassillis. Andreas Comes de Rothes. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Allanus Dominus Cathcart. Clericus Registri. Clericus Justiciarie. Advocatus. Computorum Rotulator. [Holyrood-House, 8th February.]

Anent oure Soverane Lordis letters, rasit at the instance of David Guthre of Kincaldrum, makand mentioun;—that quhair, in the moneth of Julii last wes or thairby, Johnne Calder, Bute Pursevant, come to the said Davidis dwelling place of Carret, and thair, be vertew of oure Soverane Lordis letters purchest at the instance of his Hienes Thesaurare, apprehendit, poindit, distrenyeit and awaytuke fra him ane gray cursour hors of sex yeir auld or thairby, for the sowme of ane hundrith pundis,—allegeit be the said Thesaurare that the said David wes restand awand as cautionar and souirtie for the entre of Maister Williame Carnecors of Balmaschanno, to have underlyne the law befoir the Justice or his deputtis at ane particular day bigane, for allegeit oppressioun committit be him upoun Williame Carden baxter in Forfair. And albeit the said Johnne Calder incontinent eftir his intromissioun with the said Davidis hors, causit lauchfullie compryis him thre sindry tymes, and ilk tyme he wes prysit and estemit to be worth sex scoir pundis money, as the said David will sufficientlie verifie be auttentik instrumentis; yit he refuissis not onelie to refound and deliver agane to the said David the twenty pundis of superplus of the said hundrith pundis, bot alsua allutirlie refuissis to subscrive and gif to him ane sufficient acquittance upoun the said comprysing and payment to him of the said hundrith pundis; quhairthrow the said David is frustrat of the said payment to him agane, at the handis of the said Maister Williame Carnecors, for quhome he come souirtie, and sould releif him thairof. And anent the charge gevin to the said Johnne Calder—to deliver to the said David the xx li. of superplus abonespecifiit, togidder with ane sufficient acquittance of the hundrith pundis abonerehersit, to the effect abone mentionat, within sex dayis nixt eftir the charge, or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun the samyn sex day, being this day, and schawin ane ressonabill caus quhy he sould not do the same; with certificatioun to him and he failyeit, letters sould be direct chargeing him simpliciter thairto, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the said David Guthre comperand be David Arbuthnot his procuratour, and the said Johnne Calder comperand personalie, the said Johnne producit oure Soverane Lordis letters, with the executionis past upoun the poinding and apprysing of the said hors; quhilkis, with divers utheris, the ressonis and allegationis of bayth the saidis partiis being hard, sene and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith.—My Lord Regentis Grace and Lordis foirsaidis, understandis sum negligence to have bene usit be the said Johnne in the apprysing of the said Kincaldrum. Johnne Calder.

hors, and thairfoir ordanis oure Soverane Lordis Thesaurare to ressave the samyn hors for the said unlaw allanerlie, and to gif ane discharge and acquittance thairupoun to the said David, as efferis.

[Holyrood House, 9th February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Gilbertus Comes de Cassillis. Joannes Comes de Montrois. Andreas Comes de Rothes. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Laurencius Dominus Oliphant. Joannes Dominus Hereis. Allanus Dominus Cathcart. Episcopus Orchadensis. Episcopus Brechinensis. Episcopus Dunblanensis. Commendatarius Dunfermling. Commendatarius Newbottill. Clericus Justiciarie. Advocatus.

Kelwod.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be George Corry of Kelwod and Johnne Corry his broder sone and apperand air, makand mentioun;—that quhair upoun the xi day of Januare last bipast or thairby, Gilbert Erll of Cassillis, being oure Soverane Lordis rebell and at the horne, and Thomas Kennedy of Bargany,—with utheris thair complices to the nowmer of twa hundrith personis, bodin with jakkis, speris, hagbuttis, pistolettis and utheris wappynnis invasive contrair the Actis of Parliament, togidder with pikkis, mattokkis, gavillokis, foir hammeris, and siclyke kynd of instrumentis, come under silence of nycht to the said George Corryis place of Thomastoun,—and thair under mynit the wall within the volt of the yett of the samyn, enterit thairin, dischargeand hagbuttis and pistolettis at all partis of the samyn; and at last tuke himself and the said Johnne Corry presonaris, and intromettit with his haill evidentis, gold, silver, nolt, scheip and utheris his movabill gudis being within his said hous, barne, barnyairdis and als upoun his manys, be way of brigancy and maisterfull oppressioun under silence of nycht as said is; and upoun the morne thaireftir, being the xii day of the said moneth, thay careit him and the said Johnne Corry as presonaris to the place of Mayboill; and thair detenit thame maist straitlie in captivitie unto the xvii

Cassillis.

day of the said moneth, that the saidis Erll and Laird of Bargany, with utheris thair freindis, transportit thame agane to the said place of Thomastoun; quhair thay wer likewyis kepit in maist strait presoun unto the penult day of the said moneth that thay wer transportit to the said Erllis hous of Craigneill, and upoun the first day of Februare wes agane careit thairfra to the said Lard of Barganyis hous of New Werk, and at last, upoun the fourt day of the same moneth, wes exhibit afoir my Lord Regentis Grace and Lordis of Secreit Counsale. And albeit eftir the taking and retentioun of thame in maner foirsaid, letters wer direct be his Grace and Lordis foirsaidis, chargeing the saidis Erll and Laird of Bargany, and all utheris keparis and detenaris of him within his said hous, to put him and the said Johnne to libertie and fredome, or ellis to compeir befoir my Lord Regentis Grace and Lordis foirsaidis at ane certane day thaireftir and

schawin ane ressonabill caus in the contrair; nochtwithstanding, not onelie dissobeyit thay the said charge, bot in forder contempt thairof and of oure Soverane Lordis authoritie and lawis of this realme, thay causit the nowmer of thretty personis, thair freindis and servandis, remane and keip the saidis complenaris within the said hous upoun the said Georgis expenssis, and specialie Hew Kennedy of Largis, Hew Kennedy of Uchterlure, and Mathow Hammiltoun, rebellis and at the horne, as the letters and executionis thairof beris; be quhome thay wer kepit sa straitlie that nane could have acces unto thame lyke as the same personis with thair complices yit kepis and withhaldis the said hous, spendand and consumand the said Georgis gudis and geir, and spuilyeand, heriand and oppressand his puyr tenentis of his ground; committand heirby oppin and manifest oppressioun, hamesuckin, brigancy under nycht, and convocatioun of oure Soverane Lordis liegis, in hie and manifest contemptioun of his Majesteis authoritie and lawis, and to the evill exempill of utheris to do the lyke, gif this be sufferit to remane unpuneist. And anent the charge gevin to the saidis Gilbert Erll of Cassillis and Thomas Kennedy of Bargany, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to heir and se letters be direct, chargeing thame to rander and deliver the said hous of Thomastoun to the said George Corry, and to remove the personis being thairin within sex dayis eftir the charge, or ellis to schaw ane ressonabill caus in the contrair; with certificatioun to thame and thay failyeit, the saidis letters sould be direct chargeing thame simpliciter thairto, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof; quhilkis being callit, the saidis George Corry and Johnne Corry comperand bayth personalie, with Maister Thomas Craig thair prelocutour; and the saidis Gilbert Erll of Cassillis and Thomas Kennedy of Bargany being alsua personalie present, with Maisteris Johnne Scharp and Alexander Mauchane thair prelocutouris; it wes allegeit be the said Maister Johnne, in name of the saidis defendaris, that the said hous aucht not to be deliverit to the said George Corry, becaus the samyn wes takin be the said Erll, being assistit with his freindis, as Baillie and Juge ordinar of the cuntre, be ressoun the said George wes denunceit rebell and at the horne, and offerit him to preif the samyn. The allegeance beand fund relivant.—My Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said letters of horning to be producit afoir thame, without prejudice of the relivancy of the said allegeance to be discussit befoir the juge ordinar. The said Maister Johnne producit oure Soverane Lordis letters in all the four formes, rasit at the instance of Maister Allane Stewart Abbot of Corsragwell, quhairwith the said George Corry being chargeit upoun the xxvii day of Maii, first, fourt, and aucht dayis of Junii respective, the yeir of God j^{m}v^{c}lxxii yeris, to mak payment to the said Maister Allane his factouris and servitouris in his name, of the teind schaves of the landis of Thomastoun occupiit be him, of the crop and yeir of God j^{m}v^{c}lxxi yeris, extending to ten merkis; for non obeying of the command of the said charge upoun the xviii day of the said moneth of

Junii, wes denunceit rebell and put to the horne; quhilkis letters the said Maister Johnne producit, without prejudice to him to produce sic uther letters of horning as he had aganis the said George. The said Maister Thomas Craig, in name of the said George, askit instrumentis upoun the productioun of the saidis letters, with the executionis of the dait foirsaid; as alsua that na mentioun is maid thairin of the delivery of ony copy to the said George nor nane utheris in his name; in respect quhairof, as lykewyis that payment wes maid of the said sowme as he allegeit, be the said George of befoir, and thairupoun ane acquittance obtenit quhilk wes intromettit with, with utheris his writtis, be the saidis Erll and Thomas, the tyme of the taking of the said hous; that thairfoir the saidis letters ar wranguslie and evill execute, and aucht not to be admittit as sufficient for preving of the said allegeance maid be the said Mr. Johnne. The said Maister Johnne answerit that the saidis letters and executionis ar sufficient and ordourlie procedit and execute. My Lord Regentis Grace, with avise of the saidis Lordis, findis in respect of the said horning producit, that the said George has na place to stand in jugement to persew quhill he be relaxt.

[Holyrood House, 14th February.] The quhilk day, the said George producit letters of suspensioun of the saidis formar letters, dait the xi day of Februare instant, and relaxand him fra the proces of horne that same day; upoun the using and productioun quhairof Maister Alexander Mauchane, procuratour for the saidis defendaris, askit instrumentis. My Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said hous to be deliverit to the said George Corry, or ony utheris in his name havand his power and commissioun to ressave the same, upoun inventure to be maid thairupoun betuix the ressavaris and deliveraris, upoun the xxiiii day of Februare instant; without prejudice to the said George to persew utherwayis civilie and criminalie as efferis, or yit to the saidis Erll and Thomas Kennedy to use thair defenssis as accordis of the law. Maister David Borthwik, Advocat to our Soverane Lord, in his Majesteis name, protestit that the copy of the said inventure mycht be deliverit to him—that the gudis contenit thairin mycht be furthcumand to his Majestie as escheit, in caise the saidis letters of horning wer fund dewlie and ordourlie procedit and execute aganis the said George.

Nicoll Oliversoun. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Nicoll Oliversoun, sone and lauchfull air to umquhile Oliver Randveill, makand mentioun;—that quhair his said umquhile fader being heretour of the udall land of the Yle of Gairsay in Orknay, deceissand, and levand the said Nicoll his sone, ane young infant the tyme of his deceis; and he being compellit be necessitie to leif his native cuntre, past to Norroway be the space of fourty yeris bigane, quhair he remanit during the same space quhill within thir thre or four yeris bigane, that hering justice to be ministrat the bettir within Orknay sen my Lord Regentis Grace regiment than afoir; quhairfoir he come in Orknay and persewit

his said umquhile faderis heretage, conforme to his rychtis and infeftmentis befoir my Lord Robert Stewart, Fewar and Sheref of Orknay and his Deputtis, and hes obtenit thair decreit aganis Johnne Mureheid, Margret Sinclair and Maister Magnus Halcro, allegeit possessouris and heretouris of the saidis landis, decerning that he, as nerrest and lauchfull air foirsaid, sould be possest in the saidis landis and Yle of Gairsay as his awin propir heretage; and be vertew of the said Lordis precept, he wes possest thairintill, as the samyn beris. Nocht theles the said Lord schortlie thaireftir in the said Nichollis absence, enterit and placeit ane callit Issobell Broun in his saidis landis and heretage, trusting that throw his lang absence, being as a strangeare wereit and beggarit in persute of his just heretage, sould be compellit to steill fra the samyn, and swa intendis to defraude him of his saidis landis, without remeid be providit. And anent the charge gevin to the said Lord Robert to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit he sould be denunceit rebell and put to the horne, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof.—Quhilkis being callit, the said Nicholl Oliversoun comperand personalie, and the said Lord be Maister Johnne Scharp his procuratour, it was allegeit be the said Maister Johnne in name of the said Lord, that,—as be ane assyise and precept of the said Lordis passing thairupoun, the said Nicholl wes possest in certane landis and possessionis quhilk his said umquhile fader broukit and possest in the said Yle of Gairsay in his tyme, reservand place to all personis havand titill to the samyn to persew thairfoir as law wald;—sa be ane uther assyise gevin thaireftir wes the said Nicoll decernit to haif na titill to the saidis landis, bot the samyn be the law and practik observit within the said cuntre of Orknay in tymes past wes fund to appertene to the said Lord. Quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said Maister Johnne to bring and present the bukis of the said law, togidder with the proces and sentence pronunceit be the said last assyise, befoir his Grace and Lordis foirsaidis, the first day of Apryle nix to cum, to the effect that forder ordour may be takin heiranent as efferis; with certificatioun and he failye, his Grace and Lordis foirsaidis will proceid and tak the said ordour as appertenis.

Lord Robert [Stewart].

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Andreas Comes de Rothes. Joannes Comes de Montrois. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Laurencius Dominus Oliphant. Alexander Dominus Saltoun. Hugo Dominus Lovett. Dominus Sinclair. Joannes Dominus Hereis. Allanus Dominus Cathcart. Episcopus Brechinensis. Commendatarius de Deir.

[Holyrood House, 10th February.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Barthilmo Symsoun, maister almounar to xii puyr, agit,

Barthilmo Symsoun.

decrepit personis dwelland in the almous hous callit the Hospitall of Sanct Nicolas, situat within the Diocie of Glasgow, makand mentioun;—that quhair, at the first foundatioun of the said hospitall, thay had gevin and disponit to thame yeirlie the sowme of twenty pundis money of this realme furth of the commoun kirk of Glencarne be the persoun foundar of the said hospitall,—lyke as afoir the reformatioun of the religioun thay wer thankfullie payit thairof, as alsua thaireftir be the Lard of Mynto collectour within the foirsaidis boundis for the tyme; at quhilk tyme the said commoun kirk of Glencarne wes disponit be oure Soverane Lordis moder
Lintclowden. to Robert Dowglas of Lintclowden, of quhome alsua thay ressavit payment of the said sowme of the lxiiii and lxvi yeris, be ordinance and directioun of umquhile James Erll of Murray Regent for the tyme; and becaus he differit to mak payment to thame of the yeris of God j^{m}v^{c}lxvii, lxviii, lxix, lxx, lxxi, lxxii, lxxiii and lxxiiii yeris restand awand to thame sensyne, upoun complaint maid thairupoun of befoir to my Lord Regentis Grace and Lordis of Secreit Counsale, the said Robert wes warnit to have comperit afoir thame at ane certane day of lang tyme bipast, to the effect that ordour mycht have bene takin heiranent as appertenit; at the quhilk day, he being diverse tymes callit, nochtwithstanding absentit himself, quhairthrow the mater wes continewit and na thing procedit upon sensyne. And anent the charge gevin to the said Robert Dowglas to mak payment to the said Barthilmo Symsoun of the sowmes abone writtin restand awand of the yeris abone expremit,—and siclyke yeirlie and termelie in tyme cuming, at termis of payment usit and wount,—within thre dayis nixt eftir the charge, or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and schawin ane ressonabill caus quhy he sould not do the same; with certificatioun to him and he failyeit, letters sould be direct chargeing him simpliciter thairto, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof. The said Barthilmo comperand personalie, and the said Robert being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Robert to mak payment to the said Barthilmo of the sowme abone writtin restand awand of the yeris abone specifiit,—and siclyke yeirlie and termelie in tyme cuming, at termis of payment usit and wount,—within thre dayis nixt eftir he be chargeit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failye thairin, the saidis thre dayis being bipast, to denunce, etc.

[Edinburgh, 11th February.] Caution for Delgattyis Men. The quhilk day Williame Hay of Delgaty becume souirtie for Andro Burnet in Kynnynmonth, George . . . Alexander Scott and James Innes thair,—that thay sall desist and ceis fra all troubling, stopping and impediment making, to Johnne Hay eldest sone to Williame Hay of Ury and Williame Hay in Nethertoun of Creychtmontgorth, in thair possessioun of the perambulat landis betuix the landis of Creychtmontgorth and Nethertoun, allegeit pertening to the saidis Johnne and Williame Hayis, and the

landis of Kynnynmonth pertening to the said Williame Hay of Delgatty, within the boundis, methis and mercheis contenit in the decreit of perambulatioun past thairupoun; in cais the letters of concurrance past be deliverance of the Regentis Grace and Lordis of Secreit Counsale at the instance of the saidis Johnne and Williame Hayis salbe fund be his Grace and Lordis foirsaidis ordourlie procedit, ilkane of the saidis personis under the pane of twenty pundis. Sic subscribitur: Williame Hay of Dalgatty.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Gilbertus Comes de Cassillis. Willelmus Dominus Ruthven Thesaurarius. Laurencius Dominus Oliphant. Joannes Dominus Hereis. Allanus Dominus Cathcart. Episcopus Orchadensis. Episcopus Brechinensis. [Holyrood House, 13th February.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne M^{c}Clayne sone to umquhile Hector M^{c}Clayne of Dowart, makand mentioun;—that quhair, in the moneth of Maii, the yeir of God j^{m}v^{c}lxxiii yeris, umquhile Archibald Erll of Ergyle, be the instigatioun and perswasioun of Hector Allansoun and utheris, the said Johnnes unfreindis and evill willaris,—without ony just caus, cryme or offence done be him, causit tak and put him in firmance and captivitie within the Castell of Inchechonell in the yle of Ergyle callit Lochquho, quhair he hes bene detenit sensyne in irnis in the maist strait and extreme maner,—as gif the said Johnne had bene committar of haynous and greit crymes; as Coline Erll of Ergyle, be instigatioun and perswasioun foirsaid, hes causit detene and yit detenis the said Johnne in the said ward, contrair all law, equitie and ressoun,—seing that all the tyme of his empresoning thair hes bene na cryme laid to his charge or ony accusatioun usit aganis him; and that he hes evir offerit him reddy to abyde and underly all jugement and tryell befoir my Lord Regentis Grace and Lordis of Secreit Counsale for ony thing that may be imput to him; or utherwayis to offer him obedient to the law within the burgh of Edinburgh; yit he is still in miserabill captivitie and ward, constranit to lament his caise for remeid. And anent the charge gevin to the said Coline Erll of Ergyle to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to heir and se him decernit to put the said Johnne M^{c}Clayne to libertie and fredome and suffer him to pas as oure Soverane Lordis fre liege in tyme cuming; or ellis to schaw ane ressonabill caus quhy he sould not do the samyn; with certificatioun to him and he failyeit, letters sould be direct, chargeing him simpliciter thairto, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof. Quhilkis being callit, the said Johnne M^{c}Clayne comperand be Maister Thomas Harvy his procuratour, and the said Coline Erll of Ergyle comperand personalie, thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith, my Lord Regentis Grace, with avise of the saidis Lordis, decernis

Johnne M^{c}Clayne.

Erll Ergyle.

and ordanis the said Erll of Ergyle—of his awin consent—to tak sic ordour with the said Johnne M^cClayne betuix the dait heirof and the first day of Apryle nix to cum, as—sufficient securitie being had to the said Erllis awin contentment that the said Johnne sall behave himself as ane dewtifull and obedient subject to our Soverane Lord, and keip gude ordour in the cuntre, unoffending ony of his Majesteis subjectis utherwayis nor be ordour of law and justice in tyme cuming—that thaireftir the said Johnne may be set at libertie and sufferit to pas and do his lefull erandis and bissines as our Soverane Lordis fre liege at his pleasour.

Williame Hoppringill.

Anent oure Soverane Lordis letters rasit at the instance of Thomas Alexander and William Hoppringill tailyeour and burgessis of Edinburgh, makand mentioun;—that quhair the maillis of the lordschip of

Of Ettrik Forrest.

Ettrik Forrest, of the termis of Barthilmes and Andirsmes, the yeir of God j^m v^c thre scoir ten yeris,—being assignit to the sustentatioun of the hous of umquhile Mathow Erll of Levenax Lord Dernlie Regent for the tyme,—the sowme of twa hundrith thretty pundis vii ß. viii đ. wes appointit and assignit to be payit to the saidis complenaris; viz., fifty twa pundis ix ß. x đ. to the said Thomas, and the remanent of the said sowme to the said Williame; and that be the personis underwrittin for the maillis of thair stedingis eftir specifiit, awand be thame of the said Andirsmes terme, in the yeir of God j^m v^clxx yeris foirsaid; that is to say, George Ker of Lintoun for the Fairneley, xxv ℔.; Andro Ker of the Yair for the Yair, thretty pundis; Gilbert Ker of Primsydeloch for Braid Medowis and Middilsteid, thretty ane pundis; Williame Ellott of Horsliehill for the steding of Montbernger Eistir, thretty thre pundis; Gawin Ellott in Skelfhill for the stedingis of Bailyeley, xi ℔.; Alexander Murray of Orcharde for Elibank, xi ℔.; Johnne Murray of Blakbarony for Glenpoit and Preischoip, xiiii ℔. x ß.; Diones Elphinstoun of Hendirstoun for Glensax, xii ℔.; James Dikesoun for Plora Eistir, sex pundis; Walter Veche, in North Sintoun, for Corsley, xi ℔.; for collectioun and inbringing of the quhilkis sowmes, umquhile Johnne Erll of Mar Regent for the tyme, directit letters, quhilkis can not be put to executioun throw his deceis, to the saidis complenaris greit hurt and skayth. And anent the charge gevin to the saidis Johnne Murray of Blakbarony, James Dikesoun, Alexander Murray of Orcharde, George Ker of Lintoun, Diones Elphinstoun of Hendirstoun, Andro Ker of the Yair, Gilbert Ker of Primsydeloch, Walter Veche of North Sintoun, Williame Ellott of Horsliehill, and Gawin Ellott of Skelfhill, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to heir and se letters direct, chargeing thame and ilk ane of thame—to content and pay the sowmes abonewrittin, awand be thame of the said Andirsmes terme to the saidis complenaris, to be devydit betuix thame, conforme to the said assignatioun,—within ten dayis nixt eftir the charge, under the pane of rebellioun and putting of thame to the horne; and gif thay failye thairintill, the saidis ten dayis being bipast, to denunce thame rebellis, etc., and to escheit, etc.; and gif

neid beis, to poind and distrenye the saidis personis reddiest gudis, being upoun the ground of the saidis landis, for the same sowmes and mak penny of the same gudis; and failyeing of thair movabill gudis, to appryise thair landis, conforme to the Act of Parliament,—becaus the saidis complenaris obtenit the lyke letters of befoir,—or ellis to allege ane ressonabill caus quhy the samyn sould not be done; with certificatioun to thame and thay failyeit, letters sould be direct in maner abone mentionat, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The persewaris and the said Alexander Murray of Orcharde comperand personalie, and the said Johnne Murray of Blakbarony comperand be Johnne Murray, sone to Patrik Murray of Fawlahill, —quha producit twa acquittances anent payment maid be thame of the said Andirsmes terme to umquhile Andro Alexander messinger; and the remanent personis abonewrittin, being oftymes callit and not comperand. My Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the personis not comperand, and ilk ane of thame, to content and pay the sowmes abonewrittin, awand be thame of the said Andirsmes terme to the saidis complenaris, to be dividit betuix thame, conforme to the said assignatioun, within ten dayis nixt eftir the charge, under the pane of rebellioun; and gif thay failye, to denunce, etc., and to escheit, etc.; and gif neid beis, to poind and distrenye thair reddiest gudis, being upoun the ground of the saidis landis, for the saidis sowmes, and mak penny of the same gudis; and failyeing of thair movabill gudis, to appryise thair landis, conforme to the Act of Parliament, and mak the saidis complenaris to be payit according to the said assignatioun.

[Thomas Kennedy of Bargany and John Wallace of Cragy sureties for Gilbert Earl of Cassillis, that George Corry of Kelwood, John Crawford of Camlarg, John Corry brother's son of the said George, and Quintene Crawford brother of the said John, shall be skaithless of him.]

[Edinburgh, 16th February.] Caution for Williame Hammiltoun of Sanquhair.

The quhilk day Johnne Hammiltoun of Stanehous, Johnne Hammiltoun of Drumry, and James Hammiltoun of Rouchbank become actit and obleist cautionaris and souirteis, conjunctlie and severalie, for Williame Hammiltoun of Sanquhair, that the said Williame sall compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale, quhair thay sal happin to be for the tyme, upoun the first day of August nixtocum, and remane quhill he haif answerit to sic thingis as sal be inquirit of him at his cuming; and als that he, be himself, his freindis, tenentis, servandis, and all utheris that he may lett, sall na wayis invade, molest, or persew Johnne Wallace of Cragy, or utheris his freindis, men, tenentis, or servandis, thair rowmes or gudis, in the menetyme utherwayis nor be ordour of law and justice, under the pane of fyve thowsand pundis; and the said Williame and Johnne Hammiltoun of Barnwell obleist thame and thair airis to releif the saidis cautionaris of the premissis, and of all pane and dangeare that thay sal happin to sustene thairthrow. In respect of quhilk

souirtie now fund, dischargeis the formar act and souirtie fund be him of befoir for his entre and remaning within the burgh of Edinburgh, and ordanis the same to have na forder strenth nor effect in tyme cuming; and in caise of contraventioun of this act or ony part thairof,—and the saidis cautionaris or any of thame thairthrow to be decernit to incur the pane foirsaid contenit thairin,—the saidis cautionaris nochtwithstanding wer content and obleissis thame to underly the pane and dangeare conjunctlie, ilkane for his awin part pro rata, and to releif utheris of the same as efferis. Sic subscribitur: Stanehouse. Drumry. Ruchbank. Sanchar. Barnwell.

[George Crawford of Lefnoreis surety that John Wallace of Craigy shall appear to answer before the Council, and in the meantime not molest William Hamilton of Sanquhar or his friends.]

[Holyrood House, 17th February.] Caution for Jok of Brumell.

The quhilk day, James Hammiltoun of Sammelstoun become actit and obleist cautionar and souirtie for Willie Johnnestoun of Kirkhill, Jok Johnnestoun of the Brumell, and Willie Johnnestoun sone to Pait of Mylnbank, that thay sall compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale the xx day of Maii nix to cum, and remane quhill lauchfull entre be takin of thame; and als that thay sall keip gude ordour in the cuntre in the menetyme; and in cais of failye or non comperance of thame at the day foirsaid, the said James obleist him to answer and redres for all attemptattis and skaythis that thay salhappin to commit betuix and the said day, or at ony tyme eftir the samyn, but fraude or gyle; and Archibald Erll of Angus, and Johnne Johnnestoun of that Ilk, obleist thame, conjunctlie and severalie, to releif the said James of the premissis and of all pane and dangeare that he may incur thairthrow. Sic subscribitur: Angus. James Hammiltoun. Johnnestone.

[Edinburgh, 18th February.] Caution for Lard Innes.

The quhilk day, Alexander Innes of that Ilk as principall, and Robert Innes of Innermerky as cautionar and souirtie for him, ar becum actit and obleist, conjunctlie and severalie, that the said Alexander Innes sall do his utter and exact diligence for taking and apprehending of Johnne Innes in Garmoch, callit the Sweit Man, Thomas Innes callit the Littill Ane, Johnne Adame callit Meit and Rest, and Johnne Innes callit the Nobill, and bringing and presenting of thame befoir the Justice or his deputtis, to be puneist for art and part of the slauchter of umquhile David Mawer of the Loch; conforme to the lawis of this realme, betuix the dait heirof and the first day of August nix to cum; and failyeing thairof, that the said Alexander Innes sall compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale the samyn day, and answer upoun his diligence done in the premissis under the pane of ane thousand pundis; and the said Alexander obleist him to releif the said Robert Innes of the premissis and of all pane and dangeare that he sal happin to sustene thairthrow. In respect of quhilk souirtie now fund, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, dischargeis the act and souirtie now fund be him of

befoir for his remaning within Edinburgh, quhairthrow he may now depart hame to the effect foirsaid. Sic subscribitur: Alexander Innes of that Ilk. Robert Innes of Innermerky.

[Thomas Kennedy of Bargany becomes lawborrows for Thomas Kennedy Master of Cassillis, that George Corry of Kelwood, John Crawford of Cumlarg, and Quintene Crawford his brother, shall be skaithless of him.] [Edinburgh, 20th February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Joannes Comes de Montrois. Willelmus Dominus Ruthven Thesaurarius. Laurencius Dominus Oliphant. Alexander Dominus Saltoun. Allanus Dominus Cathcart. Dunfermling. Clericus Justiciarie. Computorum Rotulator. Advocatus. [Holyrood House, 23d February.]

Anent oure Soverane Lordis letters, rasit at the instance of Maister James Hering Provest of Methven, Henry Lord Methven Patroun of the said Provestrie, and Williame Lord Ruthven Thesaurare his tutour, for his interes, makand mentioun;—that quhair the said Maister James is lauchfullie providit to the said Provestrie be presentatioun of the said Lord Methven Patroun, admissioun of the Ordinar, and oure Soverane Lordis confirmatioun following thairupoun; as alsua he is appointit Minister at the said kirk; and thairthrow, be the lait ordour observit in the making of the assignationis, aucht to have the haill frutis of the said Provestrie assignit to him in his stipend for the sustentatioun of him self and his Redaris serving at the kirkis thairof, it being usualie observit that—quhair the new providit Persoun sen oure Soverane Lordis coronatioun being admittit to the ministerie servis and makis residence at his awin kirk, the haill frutis of his benefice is assignit to him, according to the meaning of the Act of Parliament tuicheing the thridis divisit to be uptakin frome the auld possessouris, papistis and utheris for the sustentatioun of the ministerie quhill thay thame selffis sould cum in possessioun of the patrimony of the kirk. And albeit it may appeir that the frutis of the said Provestrie ar of greit avale in respect of the quantitie of the thrid, yit it is trew that the said Maister James ressavis littill or na commoditie of the same, be ressoun the twa part thairof wes set in assedatioun be the last possessour to umquhile Henry Lord Methven Patroun, Robert Crawmond of Auldbar, Dame Marioun Ogilvy Lady Melgond and sindry utheris befoir the said Maister James entre to the benefice, for silver far within the auld rentall of victuall; as alsua the Prebendaris of the said Provestrie hes thair pensionis, bayth money and victuall, conforme to thair provisionis of auld, payit to thame furth of the said twa part; and the Superintendent, in his last visitatioun, hes ordanit the said Maister James to big the manse of the said Provestrie, quhair now thair is na thing standand bot bair ground, and als to repair the kirk, besydis sindry utheris chargeis, as the said superintendentis actis will testifie. Nochtwithstanding he can not get his assignatioun formit, put in the Mr. James Hering.

register, and extractit, as utheris ar thir twa yeris bigane, upoun pretens of dispositioun of the thrid of the said Provestrie in pensioun to James
James Murray. Murray broder germane to Sir Williame Murray of Tulibardin knycht comptrollar; not onelie to the said Maister James hurt and skayth, bot to the havy prejudice of the said Lord Methven Patroun foirsaid, and to the dangerous exempill and preparative to be usit upoun all utheris lawit patronis within this realme, quhilkis at the granting or assumptioun of the thridis of benefices wer nevir callit thairto for thair interesse, nor nevir condiscendit to the same. And albeit for the furtherance of a publict quietnes and gude ordour thay have owersene the uptaking of the thridis of thair benefices to help the sustentatioun of the ministerie,—salang as the same benefices wer possest be papistis or utheris that servit not in the ministerie,—yit wes it nevir menit, nor nane will juge it ressonabill, to pas in preparative,—that the thridis of lawit patronages salbe gevin in pensioun for terme of lyff without consent of the possessour or patroun, as in this cais; quhilk wer in effect to tak frome the lawit patronis the haill thrid of thair patronages, and to reduce it in a forme of perpetuall rent, to be disponit be the Prince in pensionis; the lordis of nobilitie and utheris lawit patronis being utherwayis burdynnit, alsweill with thair personall service as with taxationis of thair landis, to sustene the publict effairis. Quhilkis premisses being considerit be my Lord Boyd Generall Collectour and utheris joynit with him in modificatioun of the stipendis, and reportit to my Lord Regentis Grace himself; thaireftir the said Lord Boyd ordanit the said Maister James to have letters to be answerit, and to have the thrid of his Provestrie for his service, as the command and warrand in writt remanand with the clerkis to schaw beris; yit he is still postponit and differrit, and can not have his said assignatioun bukit and extractit without new command of my Lord Regentis Grace to that effect. And anent the charge—gevin to the said James Murray, Robert Lord Boyd Collectour Generall, Maister David Borthuik of Lochill and Robert Creichtoun of Elyok advocattis to oure Soverane Lord for his Majesteis interes,—to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have hard and sene command geven to the clerkis, writtaris and keparis of the bukis of assignationis to buke the said assignatioun,—according to my Lord Regentis Grace command declarit be the said General Collectour, under the pane of rebellioun and putting of thame to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The saidis Maister James Hering and Williame Lord Ruthven comperand bayth personalie for thame selffis and in name of the said Henry Lord Ruthven, and the saidis James Murray and Maister David Borthuik being alsua personalie present, and the said Robert Lord Boyd and Maister Robert Creichtoun being oftymes callit and not comperand; the ressonis and allegationis of the personis present being hard and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, commandis the clerkis, writtaris and keparis of

the saidis bukis of assignationis to buke the said assignatioun according to his Grace's command, declarit be the said Generall Collectour, quhairthrow the said Maister James may attend on his service; providing alwayis that the said James Murray and all utheris havand interes, be warnit as efferis, to heir and se letters gevin upoun the said assignatioun, conforme to the ordour observit in sic caissis.

[Alexander Fraser of Phillorth surety that William Fraser, his father's brother, being released out of the Castle of Edinburgh, shall remain in the town of Edinburgh until 26th April next, when he shall re-enter in ward in the castle.] [Edinburgh, 24th February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Willelmus Dominus Ruthven Thesaurarius. Hugo Dominus Somervile. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Commendatarius de Deir. Commendatarius de Balmerinoch. Commendatarius de Culros. Computorum Rotulator. Advocatus. [Holyrood House, 25th February.]

Anent our Soverane Lordis letters rasit at the instance of Maister David Borthuik of Lochill Advocat to oure Soverane Lord, makand mentioun— Kingis Advocatt.

That quhair umquhile Maister Abrahame Creichtoun Provest of Dunglas, in his testament and latter will maid in the Castell of Edinburgh upoun the xvii day of September, the yeir of God j^{m}v^{c}lxv yeris, left to help and mend the brig of Crawmond quhen ony man sould begin thairto or tak it in hand the sowme of ane hundrith merkis; and siclyke left to the mending of the Magdalen brig be west Mussilburgh ane hundrith merkis quhen ony man sould begin thairto or tak it in hand,—as the testament thairupoun confirmit be the Commissar of Edinburgh upoun the xiiii day of December, the yeir of God foirsaid, at mair lenth proportis. And it is of veritie that the saidis briggis hes greit neid of mending and reparatioun,—the ane being alreddy rewynit and the uther in dangeare of falling gif it be not spedelie helpit,—quhairunto my Lord Regentis Grace is weill and ernistlie inclynit. And thairfoir the said advocat in our Soverane Lordis name hes gude entres to crave the exhibitioun and deliverance of the saidis sowmes, that the same may be employit to the mending and reparatioun of the saidis briggis, for the commoun weill of this realme and subjectis, according to the will of the deid, and that in the maist summar ordour of proces that may be, sen the necessitie of the commoun weill cravis it. And anent the charge gevin to Andro Abircrumby of Urquhart and Elizabeth Creichtoun relict and executour of umquhile Maister George Creichtoun of Cluny,—quhilkis Andro and Maister George ar confermit executouris to the said umquhile Maister Abrahame—to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have hard thame decernit to depone and consigne, in the handis of sic a persoun as sould be appointit Executoris of umquhile Mr. Abrahame Creichtoun.

the said sowme of twa hundrith merkis, to be employit to the mending and reparatioun of the saidis briggis, according to the will of the deid; or ellis to allege ane ressonabill caus quhy the same sould not be done; with certificatioun to thame and thay failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne in maner abonewrittin, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, the said Maister David comperand personalie and the said Andro Abircrumby being alsua present.—My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Andro of his awin consent, to depone and consigne the sowme of ane hundrith merkis in the handis of Robert Commendatare of Dunfermling, to be bestowit upoun the reparatioun and mending of the said Magdalen brig, and to ressave his acquittance upoun the delivery thairof as efferis; and als ordanis the said Andro, of his awin consent, to mak the uther hundrith merkis to be furthcumand and deliverit as it salbe requirit to the reparatioun and mending siclyke of the brig of Crawmond, according to the deid expressit in the said testament and legacy.

For delivery of of gudis takin at the Reid Swyre.

Forsamekill as, according to the indent and aggrement maid betuix the Commissionaris of bayth the realmes at Foulden, upoun the tent day of November last bipast, the gudis takin on ayther part at the infortunat accident quhilk happynnit at the Reid Swyre upoun the sevint day of Julii last bipast, ar ordanit to be redressit of the single and principall valu quhairupoun the billis on ayther part ar alreddy sworne, and delivery appointit to be maid at sic dayis and places as salbe aggreit betuix Johnne Carmichaell youngar of that Ilk and the Lord Warden of the Middill Marche of England. Quhairfoir and to the effect that the saidis gudis may be redressit according to the intentioun and meaning of the saidis Commissionaris,—ordanis letters to be direct to command and charge oure Soverane Lordis liegis quhatsumevir that had, hes intromettit with, or ressett ony of the gudis takin frome the subjectis of England at the Reid Swyre the said day, be oppin proclamatioun at the marcat croces of Jedburgh, Hawik, and utheris places neidfull, that thay bring and present the same—or the just avale of the same—to the day and place quhilk the said Johnne Carmichaell sall appoint, that delivery may be maid thairof to the personis skaythit according to the said indent, as thay will answer upoun thair perrell; certifeing thame that failyeis in the premissis, in caise thair taking intromissioun, or resetting of ony Englische gudis the said day, happynnis to be tryit and provin upoun thame, thay salbe deliverit for the haill remanent gudis resting unredressit.

[Licence being granted to David Grahame apparent of Fintry to go abroad, he as principal and David Lindsay of Edyell and Thomas Fothringhame of Powry, are sureties that he shall do nothing prejudicial to the realm during his absence, and that he shall not return without express licence.]

Sederunt—Domini ut in die predicto.

[Holyrood House, 27th February.] Anent Adulteraris.

Forsamekill as, albeit be Actis of Parliament it be statute and ordanit that all notour and manifest committaris of adultre salbe puneist with all rigour to the deid, alsweill the woman as the man doar and committar of the same, eftir that dew admonitioun be maid to abstene fra the said manifest and notour cryme; and siclyke that quhatsumevir persoun or personis committis the abhominabill cryme of incest salbe puneist to the deid, as the Actis maid thairupoun at mair lenth proportis; and alsua, althoch in the justice airis haldin sen the begynning of the present Regentis governament,—specialie at Hadingtoun, Peblis, Abirdene, and now last within the Sherefdome of Edinburgh Principall, sindry of the saidis adulteraris and incestuus personis wer indytit and delaitit,—yit thay could not convenientlie be puneist according to the tennour of the saidis Actis of Parliament, bot thair persute and punisement of necessitie hes stayed and behuvit to be continewit, be ressoun the ordour and admonitionis of the kirk appointit to proceid ar not dewlie usit be the ministerie,—at leist the saidis admonitionis not reportit to oure Soverane Lordis Tresaurare and Justice Clerk, that it mycht appeir quha had willinglie and obedientlie maid thair repentance, and quha wilfullie and obstinatlie remanyt contemptuus and inobedient,—quhairupoun discretioun and distinctioun mycht have bene usit in the punisement and correctioun of the offendaris accordingly. Quhairfoir, and to the effect that all personis delaitit and indytit of the saidis filthy crymes of adulterie and incest may be puneist according to the saidis Actis of Parliament and lawis maid thairanent, the Regentis Grace ordanis ane herauld, maser, or uther officiar of armes to pas to the marcat croces of the burrowis of Edinburgh and Linlythquow, and thair, be oppin proclamatioun in oure Soverane Lordis name and authoritie, command and charge, all and sindry ministeris of the kirkis within the Sherefdomes of Edinburgh Principall and Linlythquow, that thay, and every ane of thame for his awin part, declair and gif up unto our Soverane Lordis Thesaurare and Justice Clerk, or ayther of thame, betuix, and the tent day of Marche nix to cum, the names of all notour and manifest committaris of adultre, alsweill men as wemen, and thairwith to deliver the admonitionis maid to the same personis to abstene fra the said manifest and notour cryme, as alsua to gif thair declaratioun in writt, quhat personis committaris of adultre or incest within thair parrochynnis respective hes maid thair repentance, and in effect now abstenis fra the saidis crymes; and quha continewis yit obstinatlie and notourlie in the same filthy crymes, nochtwithstanding the dew admonitionis gevin in the contrair; as the saidis ministeris will expres, and gif pruif of thair zealous and sinceir affectioun to the punisement of the same vyces and crymes, and answer to oure Soverane Lord upoun thair obedience at thair uttirmest charge and perrell.

[Holyrood House, 28th February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Joannes Comes de Montroise. Laurentius Dominus Oliphant. Dunfermling. Newbottill. Glenluce. Culross. Clericus Justiciarie. Advocatus.

Ergyle. Atholl.

Anent oure Soverane Lordis letters rasit at the instance of Colyne Erll of Ergyle Justicé Generall of this realme, aganis Johnne Erll of Atholl Lord of Balvany, for productioun befoir his Grace and Counsale of ane commissioun, gevin be the Quene oure Soverane Lordis moder, to the effect the samyn mycht be dischargeit simpliciter for certane caussis mentionat in the saidis letters direct thairupoun, as the samyn at mair lenth proportis. Quhilkis being callit, and the said Erll of Ergyle comperand personalie, with Mr. Thomas Craig his prelocutor, and the said Johnne Erll of Atholl comperand be Maister Johnne Scharp his procuratour;—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, continewis the said mater, in the samyn forme force and effect as it is now, but prejudice of partie, unto the xx day of Apryle nix to cum; and dischargeis the said Erll of Atholl, his deputtis and officiaris, of all proceding be vertew of the said commissioun in the menetyme, unto the last day of the said moneth; and of thair offices in that part, bayth the saidis partiis warnit heirto apud acta.

[Holyrood House, 3d March.]

[Proclamation against the use of flesh in Lentern, repeated as on record 22d February 1574, with a few verbal differences so slight as to seem accidental. The period of prohibition to be from 11th March to 22d April.]

[Dalkeith, 10th March.] Glengarry.

Anent oure Soverane Lordis letters rasit at the instance of Donald M^{c}Angus of Glengarry, makand mentioun;—that quhair it is not unknawin to my Lord Regentis Grace and Lordis of Secreit Counsale, that in all tymes bigane the use and consuetude hes bene that the indwellaris of the Hieland hes brocht and convoyit tymmer to the burrowis nixt adjacent, be the revaris watteris and lochis hávand thair cours to the same, as may be sene be Sanct Johnnestoun, Invernes, and diverse utheris burrowis, quhair the lyke access is had with tymmer fra the Hielandis. And albeit the same tendis bayth to the commoditie of the saidis burrowis and all utheris oure Soverane Lordis liegis; nevirtheles, Hew Lord Fraser of Lovett, upoun injust occasioun hes laitlie stoppit and maid impediment to the said Donald M^{c}Angus, his freindis, kin, and commonis of his landis, to bring and cary wod and tymmer doun in boittis to the burgh of Innernes throw the watter of Lochnes, upoun ayther syde quhairof his landis lyis; quhairby the commoun weill of the cuntre and burgh foirsaid is hurt and disadvantageit; and in that respect it appertenis to oure Soverane Lord, his Regent and Lordis foirsaidis, to se the samyn haistelie remedit. And anent the charge gevin to the said Hew Lord Fraser of Lovett at his dwelling place, and to his kin, freindis, tenentis, servandis, dependaris and partakeris,—and all utheris dwelland upoun the said watter and boundis about the samyn,—be

Lord Lovett.

oppin proclamatioun at the marcat croce of the burgh of Invernes, to have sufferit and permittit the said Donald M^c^Angus,—his kin, freindis, servandis, dependaris and commonis of his landis,—to bring and cary wod and tymmer doun the said water of Lochnes to the said burgh of Invernes, at all tymes as thay sould think expedient, thair to be sauld for the commoun weill of the cuntre; or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and schawin ane ressonabill caus in the contrair; with certificatioun to thame and thay failyeit, utheris letters sould be direct, chargeing thame simpliciter thairto, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the said Donald M^c^Angus comperand personalie; and the said Hew Lord Fraser of Lovett, his kin, freindis, dependaris and utheris abonewrittin, being oftymes callit and not comperand; quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Hew Lord Fraser of Lovett,—and all utheris his kin, freindis, servandis, tenentis, dependaris and partakaris,—and all utheris dwelland upoun the said watter and boundis about the samyn in generall, and be thair names in speciall, as salbe requirit,—to suffer and permit the said Donald M^c^Angus of Glengarry, his kin, freindis, servandis, dependaris, tenentis and commonis of his landis, to bring and cary wod and tymmer doun the said watter of Lochnes to the said burgh of Innernes, at all tymes as thay sall think expedient, thair to be sauld for the proffeit of the said burgh and commoun weill of the cuntre, according to the auld use,—within xv dayis nixt eftir thay be chargeit thairto, under the pane of rebellioun, etc.; and gif thay failye thairin, the said xv dayis being bipast, to denunce, etc., and to escheit, etc.

Sederunt—Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Commendatarius de Dunfermling. Commendatarius de Newbottill. Clericus Registri. Computorum Rotulator. Advocatus. [Edinburgh, 12th March.]

Armstrang of Barngleis.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Cristell Armistrang in Barngleis, makand mentioun.—That quhair Arthour Grahame in Blawatwod, accumpaneit with certane Scottis men and Inglismen, in the moneth of Januare last wes come to the said Cristellis landis of Barngleis—quhair his servandis wes laubourand the ground, belevand na harme nor injurie to have bene done to thame, bot to have levit under Goddis peace and oure Soverane Lordis,—and cruellie and maisterfullie cuttit the plewis, dang and straik his servandis to the greit effusioun of thair blude. He than being in possessioun thairof, lyke as he and his predecessouris hes bene in peciabill possessioun of the samyn as baillies aud takkismen to oure Soverane Lordis predecessouris be the space of xxiiii yeris or thairby last bipast without impediment. And anent the charge gevin to the said Arthour to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day

Arthour Grahame.

bipast, to have answerit to the said complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, he sould be denuncit rebell and put to the horne, lyke as at mair lenth is contenit in the said complaint. Quhilkis being callit, bayth the saidis partiis comperand personalie, thair ressonis and allegationis, togidder with the depositionis of certane witnessis being hard, sene and considerit be the Lordis of Secreit Counsale, and thay ryplie avisit thairwith.—The Lordis of Secreit Counsale findis that the said Cristie Armistrang is in possessioun of the saidis landis of Barngleis, and thairfoir decernis and ordanis him still to enjoy and brouke the possessioun of the samyn, ay and quhill he be lauchfullie callit and ordourlie put thairfra be the law; and als ordanis the said Arthour Grahame to find souirtie actit in the bukis of Secreit Counsall, that he, be himself nor nane that he may lett, on na wayis sall molest nor troubill the said Cristie, his men, tenentis or servandis in the peciabill possessioun of the saidis landis, nor utherwayis in bodiis or gudis in tyme cuming utherwayis nor be ordour of law and justice, under the pane of ane thowsand pundis.

[Edinburgh, 16th March.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Colinus Comes Ergadie. Patricius Dominus Lindesay. Robertus Dominus Boyd. Laurencius Dominus Oliphant. Hugo Dominus Somervile. Allanus Dominus Cathcart. Episcopus Orchadensis. Commendatarius de Dunfermling. Magister Willelmus Baillie Dominus Provand. Commendatarius de Balmerinoch. Clericus Registri. Advocatus.

Robert Barbour.

Williame Cunynghame.

Anent oure Soverane Lordis letters rasit at the instance of Robert Barbour in Barglachane, makand mentioun;—That quhair upoun the xiiii day of Januare last bipast or thairby, Williame Cunynghame in the Burne come to the said Robertis dwelling hous in Barglachane, and desyrit him to ressave in his keping the sowme of ane hundrith pundis, quhilk he than declarit he had reddy to deliver to the said Robert, and requirit him to pas in presens of ane notar that ane obligatioun mycht be maid, obleissand him to rander and deliver the samyn to the said Williame agane at sic tyme and howsone he requirit; at quhais desire the said Robert past to the Clachan of Cumnok quhair Johnne Gemmill notar maid the said obligatioun; quhilk being subscrivit and deliverit to the said Williame Cunynghame, he thaireftir desyrit the said Robert Barbour to pas with him to ane uther hous within the said toun of Cumnok, quhair the silver mycht be nowmerit and deliverit to him, lyke as he past afoir the said Williame to the hous appointit, and thair remanit awaytand on his cuming all that day; nochtwithstanding he came not to the said hous, bot fraudfullie and deceitfullie departit hame to his awin hous bayth with the silver and the said obligatioun, quhilk he withhaldis as yit, and on na wayis will deliver to the said Robert agane, the ane or the uther, as wes aggreit upoun; bot myndis to persew him upon his said obligatioun,

howbeit he ressavit not the foirsaid sowme contenit thairin, to his greit hurt and skayth without remeid be haistelie providit in the contrair. And anent the charge gevin to the said Williame Cunynghame to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the said complaint, and to underly punisement thairfoir as efferis, under the pane of rebellioun, etc.; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The said Robert Barbour comperand be Johnne Crawfurde of the Schaw, and the said Williame Cunynghame being oftymes callit and not comperand.—My Lord Regentis Grace thairfoir, with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes to pas and denunce the said Williame Cunyghame oure Soverane Lordis rebell, and put him to the horne, and to escheit, etc.

Anent oure Soverane Lordis letters rasit at the instance of Johnne M^cMorame messinger, makand mentioun;—that quhair he being using his office in executioun of letters upoun Patrik M^cKe burges of Wigtoun, in the moneth of Januare last bipast, the said Patrik, be the assistance of Archibald M^cKe of Myretoun, Alexander and Patrik M^cKeis brethir to the said Laird, cruellie chaissit, straik, and persewit the said Johnne for his slauchter, gevand him diverse injurious wordis, and inhibiting him to use his office upoun thame in ony wayis in tyme cuming, under the pane of his lyff; lyke as thay yit dalie persewis and sekis him for his slauchter, swa that he dar not resort nor repair in the cuntre for using of his office; it being alsua of veritie that thair being diverse personis denunceit rebellis and at the horne quhilkis he dar not gif up indorsat for feir of his lyff, in hie contemptioun of our Soverane Lordis authoritie and lawis. And anent the charge gevin to the saidis Patrik M^cKe burges of Wigtoun, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the said complaint, under the pane of rebellioun, etc.; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaid letters, executioun and indorsatioun thairof. The said Johnne M^cMorame comperand be Maister his procuratour, and the said Patrik M^cKe being oftymes callit and not comperand, my Lord Regentis Grace thairfoir, with avise of the saidis Lordis, ordanis letters to be direct to denunce the said Patrik, etc., and to escheit and inbring all his movabill gudis, etc. Johnne M^cMorame. Patrik M^cKe.

Sederunt—Joannes Dominus Glammis Cancellarius. Colinus Comes Ergadie. Adam Episcopus Orchadensis. Commendatarius de Dunfermling. Clericus Registri. Advocatus. [Edinburgh, 21st March.]

Anent oure Soverane Lordis letters rasit at the instance of Thomas Wod, makand mentioun;—that quhair he obtenit presentatioun of my Lord Thomas Wod.

Regentis Grace, to the vicarage of Sanctandrois—vacand be deceis of the last possessour—direct to the Superintendent of Fyff, for admissioun and collatioun to be had thairupoun, upoun collatioun of his qualificatioun and abilitie to serve in the charge of ane Redar within the kirk of God. And albeit he hes oft and diverse tymes requirit the said Superintendentis testimoniall of his admissioun, conforme to the ordour, in respect he wes and is fund abill for the said charge, being admittit Redar lang of befoir. Nochtwithstanding, the said Superintendent hes allutirlie refusit and refuissis to do the samyn, quhairthrow as yit the said Thomas hes gottin na proffeit nor commoditie of the said Vicarage; howbeit it is of veritie that for eschewing of the dangeare of horning he hes laitlie maid payment of the taxt thairof, as ane acquittance gevin thairupoun beris. And anent the charge gevin to Maister Johnne Winrame Superintendent of Fyff, to gif and grant to the said Thomas Wod admissioun upoun the presentatioun to the Vicarage abone mentionat, conforme to the ordour usit in sic caissis, within xxiiii houris nixt eftir the said charge; or ellis to haif reportit ane ressonabill caus in the contrair befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun ane certane day bipast; with certificatioun to him and he failyeit his Grace and Lordis foirsaidis wald proceid and tak sic ordour heiranent as appertenit, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Thomas Wod comperand personalie, and the said Maister Johnne being oftymes callit and not comperand.—My Lord Regentis Grace thairfoir, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Maister Johnne yit as of befoir, to gif and grant to the said Thomas Wod admissioun upoun the foirsaid presentatioun to the vicarage abone writtin, conforme to the ordour usit in sic caissis, within xxiiii houris nixt eftir he be chargeit thairto, under the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failye letters salbe direct chargeing him simpliciter thairto.

Mr. Johnne Winrame.

[Edinburgh, 23d March.] Mr. Andro Broun.

Anent the complaint maid be Maister Andro Broun, Minister appointit at the kirkis of Alter, Raffert, and Edinkelye, within the diocie of Murray, for non payment of a part of his stipend, extending to the sowme of fourty sex pundis xiii ß. iiii ₰. assignit to be payit out of the thrid of the subchanterie of Murray be Maister Alexander Dunbar, Dene and Subchantour of Murray, of the yeris of God j^{m}v^{c}lxxiii yeris, and alsmekill of the yeir of God j^{m}v^{c}lxxiiii yeris. And anent the directioun gevin be the Regentis Grace to the Lordis of the Prevy Counsale underwrittin, viz., Robert Lord Boyd Collectour Generall, Robert Commendatare of Dunfermling Secretare to oure Soverane Lord, and Maister David Borthuik of Lochill his Hienes Advocat, to tak ordour and dres in the said mater. The said Maister Alexander Dunbar and Maister Andro Broun being bayth personalie present, and thair ressonis and allegationis hard and understand to the saidis Lordis and thay ryplie avisit thairwith. The saidis Lordis thinkis ressonabill and ordanis the said Maister Alexander Dunbar to content and pay to the said

Maister Andro Broun the sowme of fourty sex pundis xiii ß. iiii đ., in compleit payment of all stipend that the said Maister Andro may crave of him during the saidis twa yeris, allowand thairin the sowme of twenty pundis quhilk the said Maister Andro grantit him alreddy to have ressavit fra the said Maister Alexander without prejudice of his privilege of the Sessioun in tyme cuming; and als findis it ressonabill and expedient that the said Collectour Generall answer and mak payment to the said Maister Andro of the uther half of his stipend awand to him of the saidis twa yeris, extending to fourty sex pundis xiii ß. iiii đ., of the restis and frutis of the same twa yeris quhilk salbe allowit to him in his comptis be the auditouris thairof; and als ordanis the said Maister Androis stipend of the yeir of God j^{m}v^{c}lxxv yeris instant, extending to the sowme of four scoir merkis, to be certanly assignit to him, and to be placeit, and serve in tyme cuming at sic kirkis as the Bischop of Murray sall appoint, and that letters be direct heirupoun in dew forme as efferis.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis, Cancellarius. Colinus Comes Ergadie. Patricius Dominus Lindesay. Georgius Dominus Seytoun. Commendatarius Dunfermling. Commendatarius de Newbottill. Clericus Registri. Clericus Justiciarie. Advocatus. [Dalkeith, 27th March.]

Forsamekill as it is understand to the Regentis Grace and Lordis of Secreit Counsale, that thair is diverse schippis presentlie arryvit within this realme with Frensche wynis, of the best and reddiest quhairof it wes ressonabill that oure Soverane Lord the Regentis Grace and nobilitie be first servit, according to the Actis of Parliament; thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the Schoir of Leyth, Burgh of Dunde, Citie of Sanctandrois, and all utheris partis and burrowis quhair Frensche wynis ar alreddy or sal happin to arryve, and thair be oppin proclamatioun, in our Soverane Lordis name and authoritie, command and charge all and sindry the maisteris and skipparis of the saidis schippis, and awnaris and merchandis of the saidis wynis, that nane of thame tak upoun hand to brek bowke thairof, bot to keip the same within boddum or sellaris haill and undisponit, sauld or awayput in ony sort, ay and quhill samekill of the best thairof be walit, merkit, and laid by to the use and provisioun of the houssis of oure Soverane Lord and his said Regent, under the panis contenit in the saidis Actis of Parliament; and als to fens and arreist the saidis wynis, and mak just inventure of the same, and to quhome the same appertenis, to remane under arreistment, un-sauld or transportit ony wayis, quhill oure Soverane Lord and his Regent be servit and staikit for thair provisioun as said is; and to charge the Provest and Baillies of the saidis burrowis and townis to se the premissis fulfillit, as thay will answer upoun thair obedience at thair uttirmest charge and perrell. Anent the wynis.

Anent the Deir of Megotland.

Forsamekill as the deir within the boundis of Megotland, Eskdaill Mure, and utheris boundis ewest the Bordouris of this realme, quhair oure Soverane Lordis progenitouris had wount to have thair cheif pastyme of hunting, ar not onelie dalie slayne be gunnis with Scottismen, bot als be the hunting of Inglismen—brocht and convoyit in to the saidis partis in armes be Scottismen inhabiting the Bordouris without conduct or licence of oure Soverane Lord or his Wardanis,—and hunting be Scottismen thame selffis in forbodin tyme; aganis the commoun weill and policie of the realme, and to the fostering of ane evill preparative repugnant to the treateis of peace, quhairof greittar inconvenientis may follow gif tymous remeid be not providit. Thairfoir ordanis letters to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas to the marcat croces of Drumfreis, Jedburgh, Peblis, Selkirk and utheris places neidfull, and thair be oppin proclamatioun in oure Soverane Lordis name and authoritie, command and charge all and sindry his Hienes lieges, that nane of thame tak upoun hand to schute at the saidis deir with gunnis, or to bring in ony maner of Inglismen to hunt quhatsumevir part of the severall ground of Scotland, without expres licence of oure Soverane Lord, his Regent or Wardane of the Marche, had and obtenit to that effect; or yit to hunt thame selffis at ony time fra Fastrenis Evin quhill Midsomer; under the pane of incurring of the panis contenit in the Actis of Parliament and treateis of peace, and to be callit, persewit and puneist thairfoir with all rigour in exempill of utheris.

[Holyrood House, 18th February.] Contract anent the Mynis.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale comperit—Mr. David Borthuik of Lochill Advocat to oure Soverane Lord, Williame Lord Ruthven his Majesteis Thesaurare, Robert Commendatare of Dunfermling, Sir Johnne Bellenden of Auchnowle knycht Justice Clerk, Archibald Naper of Edinbilly knycht, James Richertsoun of Smetoun, George Auchinlek of Balmanno, Abraham Peterssoen, and James Reid burges of Edinburgh,—and desyrit the contractis underwrittin to be actit and registrat in the bukis of Secreit Counsale, to have the strenth of ane act and decreit of the Lordis thairof, and thair authoritie to be interponit thairto, and letters and executoriallis to be direct thairupoun in forme as efferis; quhilk desire the saidis Lordis finding ressonabill hes ordanit the samyn to be registrat in the saidis bukis, of the quhilkis the tennour followis: At Haliruidhous, the xvii day of Februare, the yeir of God $j^{m}v^{c}lxxv$ yeris, it is appointit, aggreit and finalie contractit betuix the rycht excellent, rycht heich and michtie Prince James the Sext, be the grace of God King of Scottis, and his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to his Hienes his Realme and liegis, in his name, on the ane part; and Abraham Petersoun, Flemyng, on the uther part; in maner, forme and effect as eftir followis. That is to say, his Majestie with avise and consent of his said cousing and Regent, hes set grantit and disponit, and be the tennour heirof settis grantis and disponis, to the said

Abraham, his assignayis and partinaris ane or ma, the haill gold, silver, copper and leid mynis and mynerallis within the boundis of Craufurdmure, Robertmure, Hendirland, and ony uther partis and places within the realme of Scotland and dominionis thairof, quhair it sall pleis the said Abraham, his assignayis and partinaris, to wirk for discovering, wynning and fyning of gold, silver, copper and leid,—reservand and exceptand the leid mynes of Glengonar and Orknay, presentlie laubourit be George Dowglas of Parkheid Capitane of the Castell of Edinburgh, Adam Fullartoun burges of Edinburgh and utheris to quhome our Soverane Lord hes gevin licence, for all the space and termis of twelf yeris nixt and immediatlie following the dait heirof,—with power to the said Abraham, his assignayis and partinaris foirsaidis, to serche out, win, discover and fyne the saidis gold, silver, copper and leid mynes and mynerallis (exceptand that is befoir exceptit), to brek the ground and mak sinkis and pottis thairin to that effect as thay sall think expedient; and to put laboureris and werkmen, and all uther thingis necessar thairto, and to win and fyne all gold, silver, copper and leid to be fund be thame thairin; and als to transport furth of the realme the leid ure meltit or unmeltit custum fre at thair pleasour; the said Abraham, his assignayis and partinaris foirsaidis, payand to our Soverane Lord his Regent and successouris, for every hundrith unces of gold or silver that salbe found or win in the saidis gold and silver mynes—comptand fyve scoir onelie to the hundrith—sex unces frelie as his Hienes just dewitie, without deductioun of ony chargeis for the laubouring or fyning thairof; and als sall present to his Hienes and successouris Maister Cunyeour the haill remanent gold and silver that thay sal happin be thair just laubouris to find, win and fyne in the saidis gold and silver mynes, to be sauld upoun the pryces and fynes eftir following, viz., sextene pundis usuale money of this realme for every unce of gold at twenty twa carrettis and ane half fine, and thretty schillingis money foirsaid for every unce of utter fyne silver; and for ilk thowsand stane trone wecht of the said leid ure, accomptand sex scoir to the hundrith, fifty unces of utter fyne silver; and for ilk hundrith stane trone wecht of meltit and fyne copper, sex stane of the said fynit copper fre, comptand sex scoir to the hundrith; and with power to the said Abraham, his assignayis and partinaris, to sell, dispone, or transport the said remanent copper custum fre, as thay sall think maist expedient for thair proffeit and utilitie. Providing alwayis that gif our Soverane Lord sall haif to do to his awin propir use of the said copper for making of artaillierie and uther necessar thingis to his proppir use as said is, the said Abraham, his assignayis and partinaris foirsaidis, salbe astrictit and obleist to sell and furneis to the Kingis Majestie the copper—sa mekill thairof as sall serve for his Hienes propir use within the realme—als gude chaip, as it sall fortune copper to be sauld in France or Flanderis for the tyme, rebatand and dissesand xii ₰. of the pryce of ilk stane wecht of the copper, bettir chaip nor sal happin to be sauld in France or Flanderis at the tyme of the selling as said is; providing alsua that at the tyme of the ressaving of the said copper oure Soverane Lord,

his Regent and successouris, mak present and thankfull payment of the pryce of the said copper. Attour the said Abraham bindis and obleissis him, his assignayis and partinaris foirsaidis, to entir to the said werk, and to put werkmen and laboureris thairto betuix this and the first day of Marche nix to cum; and sall continew in yeirlie wirking thairat be the grace of God without intromissioun, the weddir serving frome the first day of Marche unto the first day of November, and on na wayis use the laubour or service of ony ma strangearis at the said werk then twenty personis, without speciall licence of oure Soverane Lord had to that effect; permittand alwayis to the said Abrahame, his assignayis and partinaris foirsaidis, to use in werk sa mony of the liegis of this realme as he sall think neidfull. Mairower it salbe permittit to the said Abrahame, his assignayis and partinaris foirsaidis, to extract, draw furth, and fyne gold and silver out of the said copper as he best can, providing alwayis that the haill gold and silver sa fynit and extractit out of the copper be presentit to the Maister Cunyeour and sauld for the pryces foirsaidis, viz., the unce of gold at twenty twa carret fyne and ane half for sextene pundis, and the unce of utter fyne silver for xxx ß. usuale money of this realme, without payment of ony uther dewitie to oure Soverane Lord thairfoir. And becaus thair wilbe ane greit quantitie of leid ure spendit and consumit in the extracting and fyning of the said gold and silver out of the copper, for the quhilk leid ure the said Abraham, his assignayis and partinaris foirsaidis, ar astrictit to deliver fifty unces of utter fyne silver for every thowsand stane wecht as said is; and that be vertew of this contract thay ar obleist to present and sell the haill gold and silver that salbe fynit in maner foirsaid to the Maister Cunyeour. Thairfoir the said Abrahame and his partinaris sall pay onelie xxx ß. usuale money foirsaid for every unce of utter fyne silver that thay sould have deliverit in fre to the cunyehous, for samekill of the said leid ure as salbe spendit and consumit in the extracting of the said gold and silver out of the copper. And for the suirtie and futherance of the said Abrahame, his assignayis and partinaris foirsaidis, oure Soverane Lord, with avise of the said Regent, inhibitis—and sall caus all the liegis of this realme and utheris quhatsumevir to inhibit, be oppin proclamatioun at the marcat croces of the heid burrowis of the same realme—and uttirlie dischargeit of all molesting, troubling, or impeding of the said Abraham, his assignayis or partinaris, in wirking of the saidis mynes, or to fyne the saidis mettallis in the maner and fassioun that salbe practizit be the said Abraham, or utherwayis to do or attempt ony thing that may tend to the violatioun or breking of ony part of the present contract, under the pane of deid. And als oure Soverane Lord, with avise foirsaid, hes takin, and be thir presentis takis the said Abraham, his assignayis and partinaris, under his Majesteis speciall protectioun, saulfgaird and defence, to be unharmit, unskaythit and unmolestit be ony of the liegis of this realme during the said space; and sall caus the said Abraham, his cumpany and houshald laboureris, to be weill and

sufficientlie providit in ludgeing mail-fre within the cunyehous besyde the Palice of Haliruidhous; and sal alsua caus the Scottismen, wirkaris and laubouraris at the saidis mynes, to be chargeit to serve obey and wirk to the said Abraham, upoun sic ressonabill chargeis and expenssis as thay have done or dois to utheris for thankfull and gude payment; and the said Abraham and his cumpany to be furneist of cariages and sic uther necessar thingis as thay sal haif to do with, upoun sic ressonabill wageis and expenssis as thay have heirtofore done to utheris; quhairon ane speciall ordinance salbe maid and proclamit at the saidis mynis and utheris places neidfull. And in caise ony of oure Soverane Lordis liegis, or strangearis, sal happin at ony tyme heireftir during this present contract, to desyre licence to wirk at the saidis gold, silver, copper and leid mynis,—na sic licence salbe grantit unto thame except the personis suittaris thairof wilbe content to wirk and use thame selffis in that behalf according to the advise, counsall and command of the said Abraham. And mair-attour the said Abraham and sa mony utheris strangearis as ar presentlie or salbe in cumpany with him, quhais names salbe gevin in writt to our Soverane Lord and his said Regent,—seing thay ar not abill to find cautioun within this realme for the trew observatioun of thair partis of this present contract,—thairfoir sall mak thair aythis of fidelitie to our Soverane Lord thairupoun, and submit thame selffis, thair bodiis and gudis, to the authoritie and jurisdictioun of our Soverane Lord, to be punissed or utherwayis answerabill according to the lawis of this realme at his Hienes gude discretioun, in caise of thair failye or thair non observatioun of this present contract or ony point thairof, for thair part of the samyn. And to the faythfull observatioun and keping of all and sindry the premissis, bayth the saidis partiis bindis and obleissis thame, thair airis, executouris, assignayis and successouris, to utheris; and ar content and consentis that this present contract be actit and registrat in the bukis of Secreit Counsall, to have the strenth of ane Act and decreit of the Lordis thairof, and that letters and executoriallis be direct thairupoun gif neid be in forme as efferis; and for acting and registring heirof in the said bukis, makis, constitutis and ordanis Maisteris David Borthuik of Lochill and Robert Creichtoun of Elyok Advocattis to our Soverane Lord, conjunctlie and severalie, thair procuratouris in uberiori forma, promittand de rato. And als oure Soverane Lord, with avise of his said cousing and Regent, promittis in verbo principis that this present contract salbe ratifiit, apprevit and confermit in his Hienes nixt Parliament in dew forme as efferis. In witnes of the quhilk thing the said Lord Regent and the said Abraham hes subscrivit this present contract and appointment with thair handis as followis, day, yeir and place foirsaidis, befoir thir witnessis; George Bischop of Murray, David Defeyter Flemyng, Alexander Jarden servand to the Regentis Grace, Williame Wylie, and Alexander Hay notar publict. Sic subscribitur: James Regent. Abraham Peterssoen. At Haliruidhous, the xviii day of Februare, the yeir of God $j^{m}v^{c}lxxv$ yeris, it is appointit, aggreit and finalie contractit betuix the partiis following, thay ar to say Abraham Petersoun, Flemyng,

on the ane part, and Williame Lord Ruthven Thesaurare to our Soverane Lord, Robert Commendatare of Dunfermling his Hienes Secretar, Sir Johnne Bellenden of Auchnowle knycht, Clerk of Justiciarie, Sir Archibald Naper of Edinbillie knycht, James Richertsoun of Smetoun, George Auchinlek of Balmannoch, Johnne Achesoun indwellair of the Cannogait, and James Reid burges of Edinburgh, in maner subsequent. That is to say; forsamekill as the rycht excellent, rycht heich and michtie Prince James the Sext, be the grace of God King of Scottis,—and his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to his Majestie, his realme and liegis, in his Hienes name—hes enterit in contract with the said Abraham, and thairby set, grantit and disponit to him, his assignayis or partinaris ane or ma, the haill gold silver copper and leid mynis and mynerallis within the boundis of Craufurdmure, Robertmure, Hinderland, and ony utheris partis and places within the realme of Scotland and dominionis thairof quhair it sall pleis the said Abraham, his assignayis and partinaris, to wirk for discovering, wynning and fyning of gold, silver, copper and leid,—reservand and exceptand the leid myndis of Glengonar and Orknay, presentlie laubourit be George Dowglas of Parkheid Capitene of the Castell of Edinburgh, Adam Fullartoun burges of Edinburgh, and utheris to quhome oure Soverane Lord hes gevin licence, for all the space and termis of twelf yeris nixt, and immediatlie following the dait of the said contract, as in the samyn, daitit at Haliruidhous the xvii day of Februare instant, at mair lenth is contenit; and thairupoun our said Soverane Lord hes extendit his Majesteis privilege under his greit seill of Scotland, in competent and dew forme, as the same alsua beris. And considering the said privilege is grantit to the said Abraham, and to his assignayis and partinaris, that be thame it may be the bettir furnissit and avanceit, the same is dividit be him in fifty equall partis, of quhilkis every severall part to have equall commoditie and proffeit of the said privilege, and to beir equall chargeis and expenssis in sic thingis as necessarlie ar to be debursit in the furthering and practizing of the said privilege in dew and competent tyme, ilkane for thair awin part pro rata. Thairfoir the said Abraham having establissit in his persoun the haill rycht of the said privilege, hes nominat, constitute and ordanit, and be the tennour heirof nominattis, constitutis and ordanis the honorabill, and utheris personis abonespecifiit, and thair airis, his verie lauchfull, undoutit and irrevocabill assignayis and partinaris with him self, of all and sindry thay partis,—the saidis fiftie partis of the said privilege, and of the fre proffeit of the gold, silver, copper, leid mynis and mynerallis, and utheris contenit thairin, particularlie heireftir expressit, viz.: the said Williame Lord Ruthven to four partis, the said Robert Commendatare of Dunfermling to four partis, the said Sir Johnne Bellenden to fyve partis, the said Sir Archibald Naper to fyve partis, the said James Richertsoun to fyve partis, the said George Auchinlek to ten partes, the said Johnne Achesoun to fyve partes, the said James Reid to twa partes, extending to fourty partes and the uther ten partes completing the haill nowmer of

the saidis fifty partes, to remane in the said Abrahamis awin persoun; of the quhilk privilege the haill governament, ordouring, leiding and directing of the werk and laubour thairof, togidder with the appointing of the werkmen of thair wageis and nowmer, and the chesing of the places quhair the saidis gold, silver, copper and leid mynis ar to be fund out and espyit, is speciallie reservit to the said Abraham, Sir Archibald Naper, Johnne Achesoun and Johnne Dowglas in Glaspen, now chosin be commoun consent of the haill cumpany, maisteris and oversearis of the said werk. And to the effect that the said privilege may be presentlie put in executioun to the commoun commoditie and benefite of the said Abraham and haill partinaris abone-writtin, he and the saidis partinaris hes presentlie avanceit and debursit the sowme of twenty pundis money of this realme for every part of the saidis fifty partis, extending in the haill to the sowme of ane thowsand pundis, and hes consignit the same in the handis of the said Johnne Achesoun, appointit alsua be commoun consent of the said Abraham and the saidis partinaris as thesaurare, ressavare and debursare for the said haill cumpany upoun just compt and rekning to be maid be him thairof; and of all utheris sowmes of money to be ressavit be him to the same effect in tyme cuming to the saidis partinaris, quhilk money the said Johnne sall deburse as the necessitie of the werk sall require, and mak compt thair-upoun four tymes in the yeir, viz., at the first day of Maii, the first day of August, the first day of November, and the first day of Februare; for hering of quhilk compt and allowing of the chargeis and debursing maid and to be maid be the said Johnne Achesoun, the haill partinaris befoir writtin, or thair substitutis havand thair poweris in auttentik forme under thair seillis and subscriptionis, sall convene yeirlie upoun the saidis dayis in our Soverane Lordis cunyehous; and siclyke oulklie upoun the Twysday at twa houris eftir none, thay or thair saidis substitutis sall convene in the cunyehous for consulting, taking ordour and geving directioun in all effaris concerning the saidis mynis, and quhatsumevir questioun or contraversy happynnis to arryise amangis ony of the saidis partinaris and cumpany upoun occasioun of this present contract or ony thing depending thairon, the remanent partinaris or thair substitutis convening salbe auditouris and jugeis thairto, and decyde the samyn; quhais jugement and deliverance the partiis sa contending sall underly, abyde and fulfill without further questioun, renunceand all uther jurisdictioun and jugement in that behalf. And the said Abraham obleissis him that he, with sic nowmer of werkmen as salbe fund gude, and allowit be the saidis partinaris or thair substitutis convening, sall entir to werk presentlie, and sall deliver the gummis of all gold and silver or sandis that salbe fund be him or his cumpany, in sic forme and maner as it cummis out of the mynis be wecht to the said Johnne Dowglas, or ony uther to be appointit thairto be the partinaris. And in caise the Regentis Grace appoint ane to be oversear for the Kingis Majesteis part, and the partinaris appoint ane uther to be maister of werk for thame, the said Abrahame salbe haldin to deliver the gummis and sandis of the gold and silver to the maister of werk appointit be the saidis

partinaris to ressave the same in presens of the said oversear appointit for the Kingis part, and that every Settirday at nycht or eftir, gif neid requiris, as he salbe commandit be the saidis partinaris, to be kepit in kestis or lokfast lumis, quhairof the said maister of werk appointit be the partinaris to have ane key, and the said Abrahame ane uther; of all quhilk register salbe kepit betuix thame for comptrolling of the ressait and geving out, and quhen sic a quantitie is collectit togidder as salbe thocht meit to be fynit attanys, than the foirsaid unfynit stuff salbe takin out agane be wecht or compt, and ane quantitie thairof for ane pruif fynit be the said Abraham in presens of ony of the cumpany that he salbe content to let se his practize, quha salbe admittit be the rest of the partinaris thairto as owerseare in that behalf; and as the said pruif declaris the quantitie of the said gold and silver to be in the saidis gummis and sandis, the said Abraham salbe haldin to answer for the haill proceding thairof according to the quantitie and wecht of his ressait pro rata. And as to the copper and leid ure, the same to ly in heipis quhill it be deliverit to the said owerseare, to be lokkit in sum suir hous as salbe appointit thairfoir be the haill partinaris, the said owerseare havand ane key and the said Abrahame ane uther thairof; and ane quantitie of the said ure to be affynit for ane pruif in lyk maner in presens of the said owirsear chosin be the said Abraham and admittit be the partinaris, and as the pruif declaris quhat quantitie of gold, silver, copper or leid is thairin, the said Abraham to answer for samekill according to the quantitie and wecht of his ressait as said is. And the saidis gummis and sandis proceding of the gold and silver mynis being affynit, the said Abraham sall deliver the gold and silver swa affynit to the said Johnne Achesoun, thesaurare of the cumpany, quha sall present the same to our Soverane Lordis cunyehous, and be comptabill to the partinaris for the avale and pryce eftirspecifiit, to be ressavit be him thairfoir, deduceing and allowing sex unces of every hundrith unces of the same for compting fyve scoir to the hundrith, quhilk is to be retenit be the maister cunyeour to his Hienes use, as Majesteis just dew, according to the said contract maid thairanent; and siclyke, that the said Johnne deliver to the maister cunyeour fifty unces of utter fyne silver for every stane trone wecht of leid ure transportit out of the realme; and siclyke, that the said Abrahame deliver to the said Johnne Achesoun, and he to the maister cunyeour, the haill gold and silver that salbe recoverit be sweting, melting, affynning or utherwayis of the said copper and leid ure, the said Johnne ressaving thairfoir the pryces of the cunyehous specifiit in the said contract and privilege; that is to say, sextene pundis for ilk unce of gold of twenty-twa carrettis and ane half fyne, and xxx ß. for ilk unce of utter fyne silver; for quhilk pryces the said Johnne salbe comptabill to the partinaris, as is befoir writtin; and of the first end thairof that he pay or defalk thretty schillingis money for every unce of samekill of the silver appointit to be payit for the leid, as thair salbe leid occupiit within the realme in fynning of the copper, according to the said contract maid betuix oure Soverane Lord and the said Abrahame

thairupoun. Attour, the haill partinaris ordanis the said Johnne Achesoun to pay and deliver to the said Abraham for the expenssis maid be him on his houshald sen the xxii day of Julii last bipast fourty schillingis money of this realme dalie to this present day and dait; and to pay him als mekill dalie heireftir quhill the first day of Maii nixtocum; at quhilk tyme the said Abraham is content and promeissis to wirk as sall than be aggreit on for the unce wecht of gold and silver, and the stane wecht of copper and leid. And in lykemaner he salbe haldin to furneis all werklumis, materiall, stuf, and utheris necessaris belanging to his wesching, fyning, melting and departing of gold and silver, he being alwayis providit of competent ludgeing at the mynis at the expenssis and chargeis of the haill cumpany, quhairupoun alsua the werklumis for the copper and leid ure salbe maid and sustenit. And in likemaner the haill partinaris ordanis the said Johnne Achesoun to pay and deliver to the said Johnne Dowglas in Glaspen, owersear and maister of werk foirsaid, for his travellis xiii ß. iiii đ. dalie sen his entres, begynnand the first day of November last bipast to this present day; and siclyke in tyme cuming, sa lang as he sall continew be commoun consent of the partinaris in that charge; and for observing, keping and fulfilling of all and sindry the premissis the saidis partiis faythfullie bindis and obleissis thame, thair airis, executouris, and assignayis, ilkane of thame for thair awin part to utheris, in the straitest style and sicker forme of obligatioun that can be divisit or maid; na remeid nor exceptioun of law to be proponit or allegeit in the contrair, renunceand the same for evir. And attour, gif thay or ony of thame failyeis in the premissis, not keping societie in the furthering and furnissing of money for avanceing of the werk, as the partinaris or thair substitutis, or the maist part of thame convening, sall appoint and think gude; in that cais the persoun or personis swa failyeing sall tyne and forfalt thair partis of the said privilege and of the haill profeit and commoditie that sal happin than to be liand in stoir, owther at the mynes, or in the Thesauraris handis,—the said faill being tryit and declarit be the saidis partinaris or thair substitutis, or the maist part of thame convening, without ony uther proces of law to be usit in that behalf. Mairower, the said Abrahame and partinaris abonewrittin ar content and consentis that this present contract be actit and registrat in the bukis of Secreit Counsale, to have the strenth of ane Act and decreit of the Lordis thairof, and that letters and executoriallis be direct thairupoun in forme as efferis; and for acting and registratioun of the same contract, hes maid, constitute and ordanit, and be the tennour heirof makis, constitutis and ordanis Maisteris , conjunctlie and severalie, thair procuratouris in uberori forma promittendo de rato. In witnes of the quhilk thing the said Abraham and the saidis partinaris hes subscrivit this present contract with thair handis as followis, day, yeir and place foirsaidis, befoir thir witnessis: George Bischop of Murray, David De Feyter, Flemyng, Alexander Jarden servand to the Regentis Grace, Williame Wylie and Alexander Hay notar publict. Sic subscribitur: Ruthven. R. Dunfermling. Sir James Bellenden with my hand. James Richertsoun

of Smetoun. Archibald Naper of Edinvillie knycht. G. Auchinlek. Abrahame Peterssoen. James Reid.

[Dalkeyth, 1st April 1576.] Charge on Carnell and Langschaw.

Forsamekill as the personis, plegeis, and brokin men underwrittin, be act and ordinance of the Prevy Counsall, wer directit to remane and be kepit in firmance be the nobill men, baronis, and gentilmen eftir specifit, quhilkis wer commandit be vertew of oure Soverane Lordis letters to keip the same plegeis and brokin men in firmance, on na wayis letting thame eschape or eschew on band or utherwayis, quhill thay wer fred and relevit be oure Soverane Lord and the Regentis Grace, ilk ane under the pane of twa thowsand pundis money of this realme; and in caise of thair failye or dissobedience, being callit and jugeit to have incurrit the said pane, thair reddiest gudis, geir, and landis, sould be poindit and apprysit thairfoir to our Soverane Lordis use, as the saidis letters and executionis thairof, with the Regentis Grace speciall missive writtingis direct for the same effect to the personis eftir specifit, mair fullelie proportis. And albeit that Hobbe Ellot sone to James of the Park wes ressavit in maner and upoun the conditioun abonewrittin be Williame Portarfeild of Dowchale, Hobbe Ellott sone to Dand of Braidley be George Maxwell of New Werk, Jok Ellott callit Gawinis Jok be Neill Montgomery of Langschaw, Geordie Symsoun in the Rawis be Hew Wallace of Carnell, and Watte Johnnestoun sone to the Reid Laird be Maister Duncane Forbes of Monymusk; nevirtheles, the saidis Williame Portarfeild, George Maxwell, Neill Montgomery, Hew Wallace, and Maister Duncane Forbes, hes lettin the saidis plegeis and brokin men deliverit to thame as said is eschape, eschew, and pas hame in the cuntreis of thair dwellingis ewest the Bordouris, quhairthrow thay thame selffis and utheris has takin bauldnes to ryde in Ingland, and upoun the peciabill and gude subjectis of this realme, omitting na thing that in thame lyis to brek the Bordouris and perturb the peace betuix the realmis, in hie and manifest contemptioun of oure Soverane Lord and his authoritie. Thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas command and charge the saidis Williame Portarfeild, George Maxwell, Neill Montgomery, Hew Wallace, and Maister Duncane Forbes, to compeir befoir the Regentis Grace and Lordis of Secreit Counsale upoun the xxviii day of Apryle instant, to heir thame and ilkane of thame for thair awin part, be decernit be thair decreit to have incurrit the saidis pane of twa thowsand pundis for the caus foirsaid, and letters direct to poind and appryise thair reddiest gudis, geir, and landis thairfoir to oure Soverane Lordis use; or ellis to allege ane ressonabill caus quhy the same sould not be done; with certificatioun to thame and thay failye his Grace and Lordis foirsaidis will decerne and direct letters in maner and to the effect abone mentionat.

Anent the slauchter of pertrikkis and murefowlis.

Forsamekill as the derth and scarsitie of wyld fowlis dalie incressis,—cheiflie becaus the same ar slayne and the eggis tint and destroyit now in the spring tyme, quhen they sould breid and increas,—notwithstanding the mony lovabill and gude actis forbidding the same. Quhairfoir and to the effect

that the authouris of this distructioun and greit hurt to the commoun weill sall not eschape unpuneist, ordanis letters to be direct, chargeing all and sindry fowlaris and utheris oure Soverane Lordis liegis quhatsumevir, that nane of thame tak upoun hand to fowle or slay ony pertrikis or murefowlis this present yeir,—or in tyme cuming,—fra the first day of Marche quhill Midsomer, nor yit to set girnis, lyme wandis, or to use ony uther ingyne for the slauchter of the saidis wyld fowlis during the space and sessioun of the yeir, under the panis following; that is to say, for the first falt the sowme of ten pundis, and impresoning of thair personis for fourty dayis; for the secund falt, the sowme of twenty pundis, and impresoning of thair personis for half a yeir; and for the thrid falt, the sowme of fourty pundis, and impresoning of thair personis ane haill yeir. Attour, that the offendouris aganis this present ordinance and proclamatioun sall not eschape unpuneist, gevis and grantis full power and commissioun be the tennour heirof to all oure Soverane Lordis liegis that sall apprehend fowlaris or utheris fowland pertrikkis or murefoulis, or settand girnis or lyme wandis as is befoirsaid, to tak thair doggis, nettis, and utheris instrumentis fra thame, for the quhilk the apprehendaris sall incur na cryme, skayth, nor dangeare in thair personis, landis or gudis, nor be callit or accusit for the same criminalie or civilie, be ony maner of way in tyme cuming; dischargeing thame thairof, and all jugeis and ministeris of lawis; of all proceding aganis thame thairfoir, and of thair office in that part for evir.

Anent the custume of skynnis.

Forsamekle as it is understand to the Regentis Grace and Lordis of Secreit Counsale, that oure Soverane Lord is greitlie defraudit in his custumes, not onelie of the skynnis passand furth of this realme,—the fassioun of pakking and nowmering not being alyke in all places,—bot in sum partis thair is a greit nowmer ma packit for the hundrith nor in uther places,—specialie at Dunde, Montrois, Abirdene, and utheris portis on the north coist,—different frome the ordour observit in Edinburgh quhilk admittis onelie sex scoir skynnis for the hundrith. Thairfoir ordanis letters to be direct, chargeing the custumaris and clerkis of Cokquett, of the saidis burrowis and all utheris portis of this realme, that nane of thame tak upoun hand, to custum ony ma skynnis for the hundrith bot sex scoir onelie, and to uplift and collect oure Soverane Lordis custumes conforme thairto, as thay will answer upoun the executioun of thair offices at thair uttirmest chargeis and perrell; certifeing thame and thay be negligent heirin, thay salbe callit for defrauding of oure Soverane Lord of his Hienes custumes, and puneist tharfoir with all rigour in exempill of utheris.

[Edinburgh, 3d April.]

Sederunt—Jacobus Dominus Regens. Colinus Comes Ergadie. Hugo Comes de Eglintoun. Robertus Dominus Boyd. Hugo Dominus Somervile. Adam Episcopus Orchadensis. Alexander Episcopus de Brechin. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Advocatus.

James Menzeis. Atholl.

Anent oure Soverane Lordis letters rasit at the instance of James Menzeis of that Ilk, makand mentioun.—That quhair albeit the Erllis of Atholl

a certane space bigane, hes had commissionis of Justiciarie and Lieutenendrie within the boundis of Atholl and partis adjacent thairto; nevirtheles he and his foirbearis, baronis of the barony of Menzeis, thair boundis, landis, rowmes and possessionis, hes bene in all tymes begane be oure Soverane Lordis maist nobill progenitouris and governouris of the realme of gude memory for the tyme, exemit frome the saidis Erllis of Atholl, thair deputtis, jurisdictioun and jugement; in justice airis and utherwayis criminalie to answer befoir oure Justice Generall and his deputtis, and in civile actionis befoir the Lordis of the Sessioun and the Sheref of Perth and his deputtis, within quhais boundis the said James Menzeis landis and rowmes for the maist part lyis. And althocht be his allya with the hous of Atholl the deidlie feid of befoir standing betuix thair foirbearis—quhairupoun the saidis exemptionis were grantit—wes reconcilit, yit wes it then condiscendit be Johnne now Erll of Atholl contractar that nane of thame sould procure or tak utheris rowmes, fredomis or liberteis, bot ayther of thame to enjoy the same with als greit libertie as thay did of befoir; and thairby the said Erll willit and declarit the saidis formar exemptionis to stand in effect, as may weill than appeir to have bene the verie meaning of bayth the partiis; nevirtheles, the said Johnne Erll of Atholl, be him self, his deputtis and servandis in his name, callis, troublis, persewis, takkis and impresonis the said James Menzeis tenentis and servandis, intending partiallie under cullour of justice to put thame to deith, and to intromet with thair gudis on pretens of escheit, to the havy hurt of the said James, without haistie remeid be providit. And anent the charge gevin to the said Johnne Erll of Atholl, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, bringand with him his commissioun—quhairby he clamit to have power of justiciarie ower the said James Menzeis, his saidis tenentis and servandis, to have bene sene and considerit; and to have hard and sene the said James, his kin, freindis, tenentis, servandis and inhabitantis—of his landis and barony of Menzeis foirsaid, with the townis, pendicles, annexis and pertinentis thairof; the landis of Apnadull, the landis of Cambusarnay, Petteiray, Tullidowill, Polfawliche, Mewane, Delmany and Tullecroy, and landis of Rannoch, liand within the lordschip of Appin and sherefdome of Perth,—exemit be decreit of the said Lord Regent and Prevy Counsale fra the said Johnne now Erll of Atholl, his collegis quhatsumevir, justices or lieutennentis within the boundis of Atholl and partis adjacent thairto, thair deputtis, officiaris, offices and jurisdictioun of justiciarie and lieutenendrie, or utheris thair privelegis and liberteis quhatsumevir; and fra all compering and answering befoir thame or ony of thame in quhatsumevir justice airis, actionis and caussis criminall and civile, courtis of justiciarie or lieutenendrie or utheris quhatsumevir in all tyme cuming, exemand and dischargeand thame thairfra for evir; and dischargeand the said Erll and his collegis, justices and lieutenentis in that part within the boundis foirsaidis, thair deputtis and officiaris, of all calling, persewing, unlawing, troubling or proceeding aganis the said James, his kin, freindis, tenentis,

servandis and inhabitantis of his propir landis, rowmes and possessionis foirsaidis, for non answering and obeying of thame in thair saidis jurisdictionis of Justiciarie or Lieutendrie, or ony thingis concerning the samyn, and of thair offices in that part for evir for the caussis foirsaidis, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, the said James Menzeis comperand personalie, with Maisteris David Makgill and Henry Kinross his prelocutouris; and the said Johnne Errll of Atholl comperand be Maisteris Johnne Scharp, Alexander Sym and Alexander Skene, his procuratouris; it wes allegeit in name of the said Erll that the said actioun wes altogidder civile; and in respect of the Act of Parliament maid be King James the Fyft anent the institutioun of the College of Justice, be the quhilk all civile materis is remittit to the Lordis of Counsall and Sessioun; that thairfoir my Lord Regentis Grace and Lordis of Secreit Counsall can not be jugeis competent to decyde in the said caus; quhairunto it wes objectit and answerit be the saidis persewaris and Maister David Borthuik advocat to oure Soverane Lord in his Majesteis name, that in the Act of Parliament maid be King James the Thrid it is declarit that it sould be lesum to his Majestie or his successouris to decyde in quhatsumevir caussis at thair pleasour, nochtwithstanding ony privilege grantit to ony uther jugeis, and that the last Act on na wayis annullis nor dirogattis the formar Act; that thairfoir my Lord Regentis Grace and Prevy Counsale ar jugeis competent, and aucht to proceid in the said caus. Quhilkis allegeance and answer, with diverse utheris the ressonis and allegationis of bayth the saidis partiis, being hard and considerit be my Lord Regentis Grace and Lordis of Secreit Counsall; and thay ryplie avisit thairwith, my Lord Regentis Grace, with avise of the saidis Lordis, findis that thay ar jugeis competent to the said caus, notwithstanding the said allegenace.

Sederunt—Robertus Dominus Boyd. Robertus Commendatarius Dunfermling. Magister Willelmus Baillie Dominus Provand. Magister Thomas Makcalyeane de Cliftounhall. Advocatus. [Edinburgh, 4th April.]

Anent the suplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be Nicoll Oliversoun, sone and lauchfull air to umquhile Oliver Randveill his fader, makand mentioun;—that quhair his said umquhile fader being heretour of the udall land of the Yle of Gairsay in Orknay, deceissand, and levand the said Nicoll his sone ane young infant the tyme of his deceis; and he being compellit be necessitie to leif his cuntre, past to Norroway be the space of fourty yeris bigane, quhair he remanit during the same space quhill within this thre or four yeir bigane. That hering bettir justice to be ministrat within Orknay sen my Lord Regentis Grace regiment than of befoir; quhairfoir he come in Orknay and persewit his said umquhile faderis heretage, conforme to his richtis and infeftmentis, befoir Lord Robert Stewart, Fewar and Sheref of Orknay, and his deputtis, and hes obtenit his decreit aganis Johnne Mureheid, Margaret Sinclair and Maister Magnus Halcro of Burgh, allegeit posses- Nicoll Oliversoun. Lord Robert Stewart.

souris and heretouris of the saidis landis, decerning, that he as nerrest and lauchfull air foirsaid sould be possest in the saidis landis and Yle of Gairsay, as his awin propir heretage; and be vertew of the said Lordis precept he wes possessit thairintill, as the samyn beris. Nocht theles the said Lord schortlie thaireftir in the said Nicollis absence enterit and placeit ane callit Issobell Broun in his saidis landis and heretage, trusting that throw his lang absence being as a strangeare wereit and beggartit in persute of his just heretage sould be compellit to steill fra the samyn; and swa intendis to frustrat and defraude him of his saidis landis and heretage, without my Lord Regentis Grace and Lordis of Secreit Counsale movit of pitie provide remeid: humelie desyring thairfoir command and charge be letters to the said Lord Robert Stewart, Fewar and Sheref of Orknay, and his deputtis, to enter and possess the said Nicoll in his saidis landis and heretage, and keip and defend him thairintill, conforme to the said decreit, ay and quhill he wer lauchfullie callit, and ordourlie put thairfra be the law, within xxx dayis eftir the charge, under the pane of rebellioun, etc.; and gif he failyeit thairintill, to denunce him rebell and put him to the horne. And anent the charge gevin to the said Lord Robert to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have hard and sene the desire of the said supplicatioun grantit, or ellis to have schawin ane ressonabill caus in the contrair; with certificatioun to him and he failyeit, the desire of the samyn sould be grantit, lyke as at mair lent his contenit in the said supplicatioun, executioun and indorsatioun thairof. Quhilkis being callit, the said Nicoll comperand personalie, with Mr. Henry M^cCalyeane his prelocutour, and the said Lord Robert comperand be Maisteris Johnne Scharp and Clement Littill his procuratouris. The ressonis and allegationis of bayth the saidis partiis being hard and considerit be the saidis Lordis, and thay ryplie avisit thairwith.—The Lordis of Secreit Counsale ordanis letters to be direct, chargeing the said Lord Robert Fewar and Sheref of Orknay, and his deputtis, to entir and posses the said Nicoll in his saidis landis and heretage, and keip and defend him thairintill, conforme to the said decreit, ay and quhill he be lauchfullie callit and ordourlie put thairfra be the law, within xxx dayis nixt eftir he be chargeit thairto; under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairintill, the saidis xxx dayis being bipast, to denunce him rebell and put him to the horne, and to escheit, etc., and inbring all his movabill gudis, etc.

[Holyrood House, 30th April.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Colinus Comes Ergadie. Andreas Comes de Rothes. Willelmus Dominus Ruthven Thesaurarius. Patricius Dominus Lindesay. Allanus Dominus Cathcart. Episcopus Brechinensis. Episcopus Dunkeldensis. Robertus Commendatarius Dunfermling, Secretarius. Robertus Commendatarius Insule Sancte Marie.

To denunce James Inglis messinger.

Anent the charge gevin be vertew of oure Soverane Lordis letters to Thomas Flemyng sone to umquhile Williame Flemyng of Barrochane, and

James Inglis messinger, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand with thame oure Soverane Lordis letters in the four formes rasit at the instance of the said Thomas Flemyng, chargeing George Maxwell of Newwerk to ressave the said Thomas in immediat tenent to him of the landis of Kilmacolme, and to infeft him, his airis and assignayis, heretablie thairintill, be charter and sesing to be haldin of the said George superiour thairof and his airis; togidder with the executionis and indorsationis of the saidis letters to have bene sene and considerit, and to have hard and sene the auttentik copyis of the same decernit to have bene deliverit to oure Soverane Lordis Thesaurare or Advocat, in his Majesteis name, as concerning his Hienes; and forder, to have answerit to sic uther thingis as sould haif bene inquirit of thame in that behalf, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The said Thomas Flemyng comperand personalie, and the said James Inglis being oftymes callit and not comperand, my Lord Regentis Grace thairfoir, with avise of the saidis Lordis, ordanis letters to be direct to denunce the said James Inglis rebell, etc., and to escheit, etc.

[The Regent having, at the instance of John Cranston of that Ilk, released George Ameris in Furd in England, taken for trafficking with Scotch thirty-shilling pieces, the said John Cranston obliges him to enter the said George in the burgh of Edinburgh when required.]

[Holyrood House, 4th May.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes de Angus. Colinus Comes de Ergyle. Andreas Comes de Rothes. Hugo Comes de Eglintoun. Patricius Dominus Lindesay. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Joannes Dominus Maxwell. Andreas Dominus Uchiltre. Allanus Dominus Cathcart. Adam Episcopus Orchadensis. Alexander Episcopus Brechin. Robertus Commendatarius Dunfermling. Marcus Commendatarius de Newbottill. Clericus Registri. Advocatus.

Johnne M^cClayne.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne M^cClayne sone to umquhile Hector M^cClayne of Dowart, makand mentioun;—that quhair in the moneth of Maii, the yeir of God j^m v^c lxxiii yeris, umquhile Archibald Erll of Ergyle, be instigatioun and perswasioun of Hector Allansoun and utheris the said Johnnes unfreindis and evill willaris, but ony just caus cryme or offence done be him, causit tak and put him in captivitie within the Castell of Inchechonell in

ane yle of Ergyle callit Lochquho, quhair he hes bene detenit ay sensyne in irnis, in maist extreme maner, lyke as he had bene committar of haynous and greit crymes; lyke as Colene now Erll of Ergyle detenis him alsua as yit in presoun contrair all law and ressoun, na cryme being laid to his charge, nor ony accusatioun usit aganis him all the tyme of his empresoning; he offering himself reddy to underly jugement and tryell befoir my Lord Regentis Grace and Lordis of Secreit Counsall for ony thing could be imput to him, and utherwayis offering himself obedient to the lawis. Quhairupoun he menit him to my Lord Regentis Grace and Lordis of Secreit Counsall of befoir, and obtenit letters chargeing the said Coline Erll of Ergyle to have comperit befoir thame at ane certane day bipast, to have hard him decernit to have put the said Johnne M^cClayne to libertie and fredome, and suffer him to pas as oure Soverane Lordis fre liege in tyme cuming, or ellis to have schawin ane ressonabill caus quhy he sould not do the samyn; with certificatioun to him and he failyeit, letters sould be direct chargeing him thairto, as the saidis letters proportit. Quhilkis being callit upoun the xiii day of Februare last bipast, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, decernit the said Erll to tak sic ordour with the said Johnne betuix that tyme and the first day of Apryle last bipast, as—sufficient securitie being had to the said Erllis awin contentment, that the said Johnne M^cClayne sould behave himself as ane dewtifull and obedient subject to oure Soverane Lord and keip gude ordour in the cuntre, unoffending ony of his Majesteis subjectis utherwayis nor be ordour of law and justice in tyme cuming,—that thair eftir he mycht be set at libertie and sufferit to pas and do his lefull erandis and bissines at his pleasour, as the said decreit gevin thairupoun beris. Nochttheles, the said Coline Erll of Ergyle, sen the dait of the samyn, on na wayis desyrit ony cautioun to be fund to him, conforme thairto, albeit the said Johnne was reddy at all tymes, lyke as he is yit, to have fund Murdo M^cClayne of Lochbey souirtie for him under the panis as wes ressonabill; quhilk Murdo is ane honest man and baroun vailyeand in landis and gudis mair nor twenty thowsand pundis, and mycht have bene cautioun for mekill mair nor in ony wayis may be socht ressonabillie of him as souirtie for the said Johnne, be ressoun that in tymes bigane he hes not offendit, and in tymes cuming sall not offend nane of oure Soverane Lordis liegis utherwayis nor be ordour of law. Nevirtheles, the said Erll will not accept the said Murdo souirtie bot for ane part, and desyris ma souirteis, viz: Dame Kathrene M^cClayne Countesse of Ergyle, with consent of Johnne Stewart her spous, and that under the pane of fyve thousand pundis, and for satisfactioun of all skayth done be the said Johnne M^cClayne to ony persoun offendit unto be him at the sicht and modificatioun of the said Erll; and failyeing of non payment of the foirsaid sowme and satisfactioun of partie, that it salbe lefull to the said Erll but ony calling, persute, or proces of law, to dispone upoun the haill heretage and leving pertening to the said Murdo, and with the haill leving pertening to the said Dame Kathrene quhilk schō hes in lyferent of the Erledome

Erll of Ergyle.

of Ergyle, lordschip of Lorne, and barony of Craiginche, and that ay and quhill the said sowme be payit and the said dampnage satisfiit, and the said Johnne M°Clayne enterit agane in ward; as ane writting contening the conditionis foirsaidis at mair lenth proportis. Quhilkis conditionis ar not ressonabill, be ressoun that the said Murdo M°Clayne is responsall for ony ressonabill pane may be socht of the said Johnne and for satisfactioun of all partiis; and in caise ony offence be allegeit as done be him at ony time, yit the samyn aucht to be tryit be ordour as efferis, and libertie not gevin to the said Erll at his awin hand—the said Johnne M°Clayne and his souirtie not callit—to intromet with thair levingis; and in the menetyme he is detenit in ward and sufficient souirtie not ressavit conforme to the foirsaid decreit, aganis all ressoun and justice. And anent the charge gevin to the said Colyne Erll of Ergyle, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the said complaint, as the samyn at mair lenth proportis.—Quhilkis being callit, the saidis Johnne M°Clayne comperand be Maisteris Thomas Hervy and Lauchlane M°Clayne his procuratouris, and the said Erll of Ergyle comperand personalie, the ressonis and allegationis of bayth the saidis partiis being hard and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale and thay ryplie avisit thairwith; my Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said Erll of his awin consent, to bring and present the said Johnne M°Clayne befoir his Grace and Lordis foirsaidis quhair thay sal happin to be for the tyme upoun the tent day of Junii nixt, to the effect that ordour may be takin with him as appertenis, as the said Erll will answer upoun his obedience.

Caution for Robert sumtyme Bischop of Dunkeld.

The quhilk day, George Lord Seytoun and Robert Maister of Seytoun become actit and obleist, conjunctlie and severalie, as cautionaris and souirteis for Robert sumtyme Bischop of Dunkeld, that the said Robert beand at libertie furth of the burgh of Edinburgh quhair he presentlie remanis in ward, sall immediatlie thaireftir repair to the place and toun of Seytoun, and thair, or in ony uther place belangand to the said Lord—or ellis within the said burgh of Edinburgh and portis thairof—remane in ward, and on na wayis sall eschape nor eschew furth of the samyn quhill he be relevit be oure Soverane Lord, his Regent and authoritie; and als that thay sall entir and present the said Robert, sumtyme Bischop of Dunkeld, befoir my Lord Regentis Grace and Lordis of Secreit Counsale quhen thay salbe requirit thairto on aucht dayis warning, under the pane of ten thowsand pundis; and in respect heirof relevis Sir Walter Ker of Cesfurde knycht, and Johnne Cokburne of Ormistoun, the said Robertis formar cautionaris. Sic subscribitur: George L. Seytoun. Robert Seytoun.

[7th May.] *Sederunt*—Jacobus Dominus Regens. Archibaldus Comes de Augus. Colinus Comes Ergadie. Andreas Comes de Rothes. Hugo Comes de Eglintoun. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Joannes Dominus Maxwell. Andreas Dominus Uchiltre. Episcopus Glasguensis. Episcopus Orchadensis. Episcopus Brechinensis. Commendatarius Dunfermling. Commendatarius Kilwynning. Advocatus.

Cesfurde youngar. Anent the complaintis maid to my Lord Regentis Grace and Lordis of Secreit Counsale be the personis underwrittin hinc inde; thay ar to say, Williame Ker apperand of Cesfurde on the ane part; and Thomas Turn-

Badroule. bull of Badroule knycht, Walter Turnbull his sone and apperand air, Mongo Bennet in Chesteris and Willame Turnbull in Barnhillis; tuicheing a part and portioun of the landis of Nethir Ancrum, acclamit be ayther of the saidis partiis; quhairupoun convocatioun wes maid to the persute of utheris be way of deid, to the greit hurt and apperand brek of the haill cuntre, as at mair lenth is contenit in thair severall complaintis maid thairupoun. Quhilkis being callit, and the said Williame Ker comperand personalie, with Maister Johnne Scharp his prelocutour, and the said Thomas Turnbull, Walter Turnbull, and Williame Turnbull being alsua personalie present, with Maister Thomas Craig thair prelocutour; my Lord Regentis Grace and Lordis of Secreit Counsale, considering the valu and commoditie of the saidis landis not to be sa greit as the inconvenient that thairthrow may follow gif ayther of thame salbe sufferit to insist in thair prevat persuttis; and yit not willing to do ony thing to the prejudice of ony of thair rychttis, titillis, or kyndnes, bot onelie to remove and tak away the elest and querrell that heirupoun hes happynnit, to the satisfactioun of the partie offendit unto; and as this will requeir a certane tyme, sa is it necessar that the saidis landis, being the ground and the occasioun of the querrell, remane in the menetyme in suspens un-mellit or intromettit with be ayther of the saidis partiis. And thairfoir my Lord Regentis Grace, with avise of the saidis Lordis, hes ordanit and ordanis ilkane of the saidis partiis, to find cautioun actit in the bukis of Secreit Counsale, that the said part and portioun of Nethir Ancrum callit Aker Irisland, with the cornis, brume, and utheris commoditeis now being thairupoun, sall rest un-sterit laubourit or intromettit with be ayther of the saidis partiis, or ony utheris in thair names, unto the first day of December nix to cum, that in the menetyme the lait troubill and contraversy falling betuix thame, thair freindis, partakaris and servandis, may be tryit and ordourit be the Regentis Grace and Lordis of Secreit Counsale, to the punisement of thame with quhome the offence salbe fund, and thair satisfactioun that hes ressavit the skayth and injurie; and for that effect that ayther of thame sall compeir personalie befoir his Grace and Lordis foirsaidis, the xx day of November nix to cum; and siclyke that thay be thame selffis, thair kin, freindis, servandis, assistaris and partakaris, nor nane utheris that thay may lett, sall invade, persew or molest utheris be way of deid for

quhatsumevir querrell, caus or occasioun bigane, in the menetyme, quhill the said tryell and ordour be takin, under the pane of ten thowsand merkis, and als under the pane of prejurie, defamatioun, reproche and tinsell of perpetuall credit and honour; providing that nane of the declarit tratouris and rebellis, complices and partakaris with Thomas Ker, sumtyme of Fairnyhirst, knycht, in his tressonabill deidis and attemptattis ar heirin comprehendit as freindis, assistaris, partakaris or servandis to ayther of the saidis partiis; bot that alwayis thay may be persewit be ayther of thame, or utheris oure Soverane Lordis liegis, as thocht this present ordinance and souirtie wer not maid and fundin.

Charge on the Wardanis to put the articles contenit in the Commissionaris bukis to execution.

The Regentis Grace and Lordis of Secreit Counsale, understanding be dalie experience quhat harme and inconvenient occurris upon the Bordouris of bayth the realmis throw ignorance of the lawis and lovabill custumes thairof, aggreit upoun be the Commissionaris of the Princes of bayth the realmis of famous memorie, at leist throw negligent executioun of the articles accordit, the subjectis of ayther realme transcending the boundis of thair dewitie, on tollerance or pactioun, upoun prevat respectis; be the quhilk the commoun peace is oftymes indangerit, and materis maid the mair difficill for the Wardanis to order and redres, specialie respecting that be the commissionaris of bayth the realmis quhilkis convenit and met at Carlile and Drumfreis in the moneth of September or thairby, the yeir of God j^{m}v^{c}lxiii yeris, it is concludit and aggreit gif ony subject of ayther realme, sall manure occupy or saw with corne ony ground within the opposit realme, it salbe lauchfull to the awnar of the ground or Wardane to distroy the same gif he thinkis sa expedient, or ellis to mak bill and complaint thairupoun to the opposit Wardane; and gif the partie beis fylit he sall forfalt his corne to the complenar, and sall pay four tymes the valu of the cornis sawin, and forder suffer impresonment be the space of thre monethis. As alsua albeit in ane treatie and indenture maid at Berwik upoun the ferd day of December, the yeir of God j^{m}v^{c}liii yeris, betuix the Commissionaris of bayth the realmis, it wes aggreit and establessit that the inhabitantis of bayth the realmis sould feid and pastour thair cattell within the limittis and boundis of thair awin realmis, upoun pane imputed to the offendar thairof—willinglie or accustumabillie depasturing and feding his cattell and scheip within the boundis of the uther realme,—be payment of ane penny sterling for every cattell and nolt at the first falt, and every scheip ane Scottis penny by iterating of the offence to doubill the pane of the parcage or poindage, unto sic tyme as the poindage for every nolt sould exceid to twa schillingis sterling, and every scheip to sex pennyis sterling; as mair at lenth is expressit in the saidis treatie. Yit be the saidis last Commissionaris upoun diverse respectis, it is forder mair aggreit and concludit, that this additioun salbe addit thairunto, that gif it sal happin the cattell or scheip of the ane realme to be stafheidit, or to remane upoun the ground of the opposit realme be the space of sex houris on ane day, it salbe lauchfull to the awnar of the ground sa dispasturit, or

to the Wardane or deputy of that Marche, for to tak and apprehend the said cattell and scheip, as forfalt and lossit, to his awin use, without ony redres thairfoir; and for avoiding of all contraversy, it is aggreit and thocht convenient that the lord and awnar of the ground sa dispasturit,—or the Wardane quhair ony of thame will proceid to the apprehending and escheting of ony gudis sa dispasturing,—that he sall tak with him of his awin cuntre four or ma honest and credibill personis, unsuspect, to be present with him, to se that the executioun be dewlie maid, all fraude and male ingyne removit and set apart; and the cattell and scheip remaning be schortar space than the foirsaid sex houris, it is aggreit and thocht meit that the foirsaid ordour establissit at Berwik salbe usit and observit, with this additioun also, that in caise the keparis of the cattell sa dispasturing the ground of the opposit realme, or ony uther for or with thame, will not permit the awnar of the ground or Wardane to use the ordour of parcage or poindage establissit in the said indenture, bot will mak let troubill or impediment aganis the poinding or keping of the said cattell untill thay be redemit be paying of the poindage; in that caise the cattell and scheip salbe thairby lauchfullie forfaltit and takin to the use of the awnar of the ground or Wardane for the contempt or resistance maid aganis the ordour of justice; and as for the pruif of this apprehensioun or poinding, or for the nowmer and quantitie of the gudis apprehendit and poindit, and for the tyme of the remaning of the cattell upoun the ground, we will that the same be referrit and tryit be the ayth of the Wardane or his deputy, or be the apprehendar thairof, togidder with sex uther honest men of that realme to be declarit upoun thair faythis and honouris, and thay sex to be namyt be the opposit Wardane, lyke as at mair lenth is contenit in the saidis articles, quhilkis in tymes bipast hes wantit dew and perfyte executioun. Quhairfoir and to the effect that nowther oure Soverane Lordis Wardanis, officiaris and utheris subjectis, nor yit the subjectis of England, sall pretend ignorance in default of dew and tymous admonitioun; ordanis letters to be direct, chargeing the saidis Wardanis to put the saidis articles and ordouris contenit in the Commissionaris buke to dew executioun in all pointis, eftir the forme and tennour thairof, and to gif warning to all and sindry oure Soverane Lordis liegis, as alsua to the subjectis of England, be oppin proclamatioun at the marcat croces of the heid burrowis of the schyris, within the Wardanreis and at the dayis of trew and publict metingis betuix the Wardanis or thair deputtis of bayth the realmis, that nane of the liegis and subjectis of ayther realme presume or tak upoun hand to infringe or violat the ordouris and directioun contenit and appointit in the saidis articles, as thay will underly the pane and dangeare thairof at thair awin perrellis; certifeing thame that dois in the contrair, the panis abone expremit, specifiit in the saidis commissionaris bukis, salbe execute upoun thame, thair cornis and gudis, according to the effect intent and meaning of the said articles, and justice.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes de Angus. Hugo Comes de Eglintoun. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Andreas Dominus Uchiltre. Jacobus Episcopus Glasguensis. Adam Episcopus Orchadensis. Georgius Episcopus Moraviensis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Clericus Registri. Advocatus. [Holyrood House, 9th May.]

Anent oure Soverane Lordis letters, makand mentioun;—that forsamekill as the personis plegeis and brokin men underwrittin, be Act and ordinance of the Prevy Counsale, wer direct to remane and be kepit in firmance be the Nobill men, Baronis and Gentill men eftir specifiit, quhilkis wer commandit be vertew of oure Soverane Lordis letters to keip the same plegeis and brokin men in firmance, on na wayis letting thame eschape or eschew on band or utherwayis quhill thay wer fred and relevit be our Soverane Lord or his rycht traist cousing, James Erll of Mortoun Lord of Dalkeyth, Regent to his Hienes, his realme and liegis, ilk ane under the pane of twa thowsand pundis money of this realme; and in caise of thair failye and dissobedience being callit and adjugeit to have incurrit the said pane, thair reddiest gudis, geir and landis sould be poindit and apprysit thairfoir to oure Soverane Lordis use, as the saidis letters and executioun thairof, with my Lord Regentis speciall missive writtingis direct for the same effect to the personis eftir specifiit mair fullelie proportis. And albeit that Jok Ellott callit Gawinis Jok wes ressavit in maner and upoun the conditioun abonewrittin be Neill Montgomery of Langschaw, and George Symsoun in the Rawis be Hew Wallace of Carnell, nevirtheles the saidis Neill and Hew hes lettin the saidis plegeis and brokin men deliverit to thame as said is, eschape eschew and pas hame in the cuntreis of thair dwellingis ewest the Bordouris, quhairthrow thay thame selffis and utheris hes takin bauldnes to ryde in Ingland and upoun the peciabill and gude subjectis of this realme, omitting na thing that in thame lyis to brek the Bordouris and perturb the peace betuix the realmis, in hie and manifest contemptioun of our Soverane Lord and his authoritie. And anent the charge gevin to the saidis Neill Montgomery and Hew Wallace, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have hard thame, and ayther of thame, decernit be decreit to have incurrit the saidis panis of twa thowsand pundis for the caus foirsaid, and letters direct to poind and appryise thair reddiest gudis geir and landis thairfoir to our Soverane Lordis use; or ellis to have allegit ane ressonabill caus quhy the samyn sould not have bene done; with certificatioun to thame and thay failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne and direct letters in maner and to the effect abone mentionat, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. Quhilkis being callit, and the saidis Neill Montgomery and Hew Wallace comperand bayth personalie, thay confessit and grantit the letting Carnell. Langschaw.

hame of the saidis plegeis contrair the tennour of the saidis Act and letters maid and direct thairupoun and become in my Lord Regentis Grace will thairfoir.

Caution for young Cesfurde.

The quhilk day Williame Ker apperand of Cesfurde as principall, and Walter Ker of Litildane and Andro Ker of Primsydeloch as cautionaris and souirteis for him, ar becum actit and obleist, conjunctlie and severalie, that the part and portioun of the landis of Nethir Ancrum callit Aker Irisland, liand within the sherefdome of Roxburgh, with the cornis, brume, and utheris commoditeis now being thairon, sall rest un-sterit laubourit or intromettit with be the said Williame or ony utheris in his name, unto the first day of December nix to cum, that in the menetyme the lait troubill and contraversy fallin betuix him and Sir Thomas Turnbulll of Badroule knycht, thair freindis, partakaris and servandis, be tryit and ordourit be the Regentis Grace and Lordis of Secreit Counsale, to the punisement of thame with quhome the offence salbe found, and thair satisfactioun that hes ressavit the skayth and injurie; and for that effect that the said Williame sall compeir personalie befoir his Grace and Lordis foirsaidis the xx day of November nix to cum; and als become actit and obleist that the said Williame be himself, his kin, freindis, servandis, assistaris, partakaris, nor na utheris that he may lett, sall invade, persew or molest the said Thomas Turnbull, his kin, freindis, servandis, assistaris or partakaris, be way of deid, for quhatsumevir querrell caus or occasioun bigane, in the menetyme, quhill the said first day of December, under the pane of ten thowsand merkis, and als under the pane of perjurie, defamatioun, reproche, and tinsell of perpetuall credeit and honour; providing that nane of the declarit tratouris and rebellis, complices and partakaris with Thomas Ker sumtyme of Fairnyhirst knycht in his tressonabill deidis and attemptattis, ar heirin comprehendit, as freindis, assistaris, partakaris or servandis to ayther of the saidis partiis, bot that thay may alwayis be persewit be ayther of the saidis partiis or utheris oure Soverane Lordis liegis, as thoch this present ordinance and suirtie wer not maid and fund. And the said Williame obleist him to releif his saidis cautionaris of the premissis and of all pane and dangeare that thay sal happin to sustene thairthrow. Sic subscribitur: Williame Ker. Andro Ker of Greneheid. Walter Ker of Litildane.

Caution for Badroule.

The quhilk day Thomas Turnbull of Badroule as principall, and George Dowglas youngar of Bonejedburgh and Johnne Rutherfurde of Hunthill as cautionaris and souirteis for the said Thomas, ar becum actit and obleist, conjunctlie and severalie, that the part and portioun of the landis of Nethir Ancrum callit Aker Irisland, liand within the sherefdome of Roxburgh, with the cornis, brume and utheris commoditeis now being thairupoun, sall rest un-sterit laubourit or intromettit with be the said Thomas Turnbull, or ony utheris in his name, unto the first day of December nix to cum, that in the menetyme the lait troubill and contraversy

fallin betuix him and Williame Ker apperand of Cesfurde, thair freindis, partakaris and servandis, may be tryit and ordourit be the Regentis Grace and Lordis of Secreit Counsale, to the punisement of thame with quhome the offence salbe found, and thair satisfactioun that hes ressavit the skayth and injurie. And for that effect, that the said Thomas Turnbull sall compeir personalie befoir his Grace and Lordis foirsaidis the xx day of November nix to cum; and als become actit and obleist that the said Thomas, be himself, his kin, freindis, servandis, assistaris, partakaris, nor nane utheris that he may lett, sall invade persew or molest the said Williame Ker, his kin, freindis, servandis, assistaris or partakaris be way of deid, for quhatsumevir querrell caus or occasioun bigane, in the menetyme, quhill the said first day of December, under the pane of ten thowsand merkis, and als under the pane of perjurie, defamatioun, reproche and tinsall of perpetuall credeit and honour; providing that nane of the declarit tratouris and rebellis, complices and partakaris with Thomas Ker sumtyme of Fairnyhirst knycht in his tressonabill deidis and attemptattis, ar heirin comprehendit as freindis, assistaris, partakaris or servandis to ayther of the saidis partiis, bot that thay may alwayis be persewit be ayther of the saidis partiis or utheris oure Soverane Lordis liegis, as thoch this present ordinance and souirtie wer not maid and fundin; and the said Thomas Turnbull obleist him to releif his saidis cautionaris of the premissis, and of all pane and dangeare that thay sal happin to sustene thairthrow. Sic subscribitur: Thomas Turnbull of Badroule knycht. George Dowglas of Bonejedburgh youngar.

Lord Ogilvyis Band.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Maisteris Alexander Sym, Alexander Skene, and Richard Strang, and gaif in this obligatioun underwrittin, and desyrit the samyn to be actit and registrat in the bukis of Secreit Counsale, and to have strenth of ane Act and decreit of the Lordis thairof in tymes cuming, and letters and executoriallis, etc.; of the quhilk the tennour followis: Be it kend till all men be thir present letters, we James Lord Ogilvy as principall, and David Grahame of Fintre knycht, Alexander Ogilvy of Clovay, Johnne Carnegy of Kynnard knycht, and Maister Johnne Ogilvy of Balfour, as cautionaris and souirteis for me,—to be bundin and obleist, and be the tennour heirof bindis and obleissis us, conjunctlie and severalie, and oure airis,—that I, the said James Lord Ogilvy, being relevit furth of the Palice of Linlythquow, quhair I presentlie remane, sall within the space of aucht and fourty houris thaireftir entir my persoun in ward within the citie of Glasgow, and remane thairin, and mylis about the same, and on na wayis eschaip or eschew out of the saidis boundis quhill I be fred and relevit be oure Soverane Lord and his Hienes Regent, under the pane of ten thowsand pundis. Attour, I, the said James Lord Ogilvy, obleissis me and my airis, to freith releif and keip my saidis souirteis skaythles of the premissis, and of all pane and dangeare that thay sal happin to sustene thairthrow. Attour, we ar content

and consentis that this oure obligatioun be actit and registrat in the bukis of Secreit Counsale, to have the strenth of ane Act and decreit thairof, and letters and executoriallis to be direct thairupoun, alsweill for principall as releif, in forme as efferis; and for acting and registratioun of the same in the saidis bukis, to have maid, constitute and ordanit, and be the tennour heirof makis constitutis and ordanis, Maisteris Alexander Sym, Alexander Skene, and Richard Strang, conjunctlie and severalie, oure procuratouris, in uberiori forma promittendo de rato. In witnes of the quhilk thing we have subscrivit this present obligatioun with oure handis as followis: At Linlythquow and Dunde respective, the fyft and sex dayis of Maii, the yeir of God j^{m}v^{c}lxxvi yeris, befoir thir witnessis, Williame Balfour and Maister Johnne Lindesay. Sic subscribitur: J. L. Ogilvy. Alexander Ogilvy of Clovay. M. James Ogilvy of Balfouris. Johnne Carnegy of Kynnard. David Grahame of Fintre.

[Holyrood House, 4th May.]

Sederunt—Jacobus Dominus Regens. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling Secretarius. Clericus Registri. Advocatus.

Kingis Advocatt.

Anent oure Soverane Lordis letters, rasit at the instance of Maister David Borthuik of Lochill his Majesteis Advocatt, Maister James Makgill of Rankelour Nethir Clerk of Register, and Maister Thomas Makcalyeane of Cliftounhall, makand mentioun;—that quhair umquhile Robert Bischop of Orknay that last deceissit, in his testament and latter will maid at Edinburgh the sext day of Februarii, the yeir of God j^{m}v^{c}lvii yeiris, left the sowme of four thowsand merkis, quhilkis he had in wedset of the landis of Strathnaver quhen it sould be recoverit; and als left uther four thowsand merkis of his gudis and geir for to by the tenement, with the yaird and pertinentis, of umquhile Sir Johnne Ramsay knycht, liand on the sowth syde of the burgh of Edinburgh, for to big ane college, in the quhilk wes appointit to be thre scolis, ane thairof for the bairnis in grammar, and uther for thame that leirnis poetre and oratore, and chalmeris to the Regentis, with ane hall and utheris houssis necessar; the thrid scole for the techeing of the civile and canon lawis; quhilk is appointed to be done with the counsale of the saidis Maister James Makgill, Thomas Makcalyeane, and umquhile Maister Abraham Creichtoun Provest of Dunglas quhome the said umquhile Bischope constitute his procuratouris in the maist ampill forme, to persew the saidis four thowsand merkis being upoun the landis of Strathnaver, to the effect foirsaid, as the testament confermit be the Commissaris of Edinburgh, upoun the day of the yeir of God j^{m}v^{c} yeris, at mair lenth proportis. Quhilk latter will and legacy tending to sa gude a fyne, and being for the commoun weill and polecy of the realme, it becumis oure Soverane Lord of dewitie to se the same fulfillit and accompleissit in the maist summar ordour of proces that may be. And anent the charge gevin to Johnne Reid of Akinheid, Walter Abbot of Kinloss, and Sir Johnne Andersoun, the onelie

Abbott of Kinloss.

thre executouris of the said umquhile Bischop now being on lyff, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have hard thame or ony of thame, bene decernit be decreit to have exhibit, deponit, and consignit, in the handis of sic a persoun as his Grace and Lordis foirsaidis sould appoint, the said sowme of aucht thowsand merkis, to be employit to the effect abonewrittin, according to the will of the deid, or utherwayis ad pios usus; or ellis to have allegeit ane ressonabill caus quhy the same sould not be done; with certificatioun to thame and thai failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne in maner abone writtin, lyke as at mair lenth is contenit in the saidis letters, execution and indorsatioun thairof. Quhilkis being callit, the saidis Mr. David Borthuik and Maister James Makgill comperand bayth personalie, the said Johnne Reid of Akinheid comperand be Maister Henry Makcalyeane his procuratour, and the said Sir Johnne Andersoun comperand be Alexander Hay directour of the chancellarie,—it wes allegeit, in name of the saidis Johnne Reid and Sir Johnne Andersoun, that thay on na wayis wer intromettouris with the said umquhile Bischoppis gudis and geir, nayther usit thay at ony tyme, the said office of executorie, and presentlie renunceit the same re integra. And the said Abbot of Kinloss being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, decernis the said Walter Abbot of Kinloss, to exhibit, depone and consigne in the handis of sic a persoun as his Grace and Lordis foirsaidis sall appoint, the said sowme of aucht thowsand merkis, to be employit to the effect abonewrittin, according to the will of the deid, or utherwayis ad pios usus, and that letters be direct heirupoun in forme as efferis.

Anent oure Soverane Lordis letters, rasit at the instance of the Maisteris, Regentis, Bursaris, and Scolaris of Sanct Leonardis College in Sanct-androis, makand mentioun.—That quhair thay have ane annuelrent of twenty-twa merkis yeirlie to be upliftit out of the landis and barony of Pennycuke, sauld and annaliit to thair place of auld be the Lairdis of Pennycuke for the tyme under reversion, contenand the sowme of four hundrith merkis; and becaus Johnne Pennycuke, now of that Ilk, wes restand awand to the saidis complenaris the said annuelrent be the space of diverse yeris, and had deforceit oure Soverane Lordis officiaris that wer poindand for the same, upoun the saidis complenaris complaint gevin in upoun the said deforcement, my Lord Regentis Grace havand compassioun upoun thair said place and povirtie thairof, first gaif the saidis complenaris letters, chargeing the said Johnne to entir his persoun in ward within the Castell of Downe in Menteith, and thair remane quhill he had maid thame payment of the haill byrun annuellis; and thaireftir be my Lord Regentis Grace avise, it wes aggreit that the said Johnne sould pay the saidis complenaris yeirlie the dowbill of the said annuell quhill the byrunis wer outred, quhairof as yit thay want the sowme of twenty aucht merkis; and mair, he is restand awand to thame the singill annuell of twa yeris last

Maisteris of Sanct Leonardis College.

Pennycuke.

bipast, quhairof he will mak thame na payment, bot upoun the xxvii day of Apryle last bipast send Gilbert Pennycuke and Williame Pennycuke his sonnis, Robert Yule his servand, and utheris at his causing command assistance and ratihabitioun, to the nowmer of xv personis, eftir that Stevin Story messinger had apprysit fourty yowis and fourty lambis of his awin upoun the ground, and offerit thame to the partie, thay violentlie reft and tuke thame fra the officiar, and swa deforceit him in the executioun of his office. And anent the charge gevin to the said Johnne Pennycuke to have comperit personalie, and to have brocht and presentit with him the utheris personis abone mentionat complenit upoun, befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. Quhilkis being callit, and the said Johnne Pennycuke nor nane of the saidis utheris personis complenit upoun not comperand;—my Lord Regentis Grace thairfoir, with avise of the saidis Lordis, ordanis letters to be direct to denunce the said Johnne Pennycuke oure Soverane Lordis rebell, etc., and to escheit, etc.

[Holyrood House, 16th May.]

Sederunt—Domini ut in die predicto.

Marioun Cruke.

Anent oure Soverane Lordis letters rasit at the instance of Marioun Cruke the spous of Jherome Hammiltoun, makand mentioun;—that quhair the said Jherome, this yeir and ane half last bipast, hes remanit at the horne, dalie frequentand in Prestoun and Prestoun Pannis, and utheris places thairabout, as oure Soverane Lordis fre liege, takand na regaird of the said horning, nor of the charge gevin to him, be vertew of utheris letters, to have enterit his persoun in ward within the Castell of Dunbartane under the pane of tressoun; and sensyne the said Marioun hes causit charge the

Baillies of Prestoun.

Baillies of Mussilburgh, Prestoun, Prestoun Pannis, Tranent, and Hadingtoun, to have tane and put the said Jherome in suir firmance and captivitie, ay and quhill he had satisfiit the tennour of the saidis letters purchest at hir instance upoun hir decreit of adherence, quhilk charge the saidis Baillies hes dissobeyit, quhairthrow schö is frustrat of the executioun of the said decreit, lyke as schö wilbe in tyme cuming, without remeid be providit. And anent the charge gevin to Richert Hendirsoun Baillie in Prestoun, Gilbert Gray Baillie in Prestoun Pannis, George Hammiltoun and Robert Greir alsua Baillies in Prestoun, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the said complaint, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The said Marioun Cruke comperand personalie with Maister Henry Balfour hir prelocutour, and the saidis Richert Hendirsoun, Gilbert Gray, George

Hammiltoun, and Robert Greir being oftymes callit and not comperand;—my Lord Regentis Grace thairfoir, with avise of the saidis Lordis, ordanis letters to be direct to denunce the saidis Richert Hendirsoun, Gilbert Gray, George Hammiltoun, and Robert Greir, oure Soverane Lordis rebellis, etc., and to escheit and inbring, etc.

[Edinburgh, 24th May.] Caution for Maister Johnne Spens.

The quhilk day, Johnne Leslie of Buchquhane become actit and obleist cautionar and souirtie for Maister Johnne Spens, burges of Edinburgh, now preparit to pas to the partis beyond sey, that the said Maister Johnne sall during the haill tyme of the remaning furth of this realme behave himself as ane dewtifull and trew subject to oure Soverane Lord and his authoritie, and sall na wayis haif to do with his Hienes declarit tratouris now being in the saidis partis beyond sey, or utheris quhatsumevir, nor yit do or practize ony thing, directlie or indirectlie, in hurt or prejudice of oure Soverane Lord, his present Regent, estate and commoun weill of this realme, under the pane of ane thowsand pundis; and the said Maister Johnne obleist him and his airis to releif the said Johnne Leslie of the premissis, and of all pane and dangeare that he salhappin to sustene thairthrow. Sic subscribitur: Mr. Jo. Spens. Johnne Leslie of Balquhane.

Caution for Allane Balfour.

I, Adam Gordoun of Auchindoun, becumis cautionar and souirtie that Allane Balfour sall entir within the Castell and fortalice of Blaknes within fourty dayis, or in the menetyme sall find sufficient cautioun according to my Lord Regentis Grace desire, under the pane of fyve hundrith merkis, be thir presentis. Subscrivit with my hand at Edinburgh, the xxvii day of Maii, the yeir of God j^{m}v^{c}lxxvi yeris, befoir thir witnessis George Gordoun of Geych, Capitane Thomas Ker, Alexander Drummond of Meidhope, with utheris diverse. Sic subscribitur: Adam Gordoun of Auchindowne.

[Edinburgh, 29th May.] Caution for Maister Uchiltre.

Forsamekill as Andro Stewart, Maister of Uchiltre, is becum in my Lord Regentis Grace will, for the offence committit and done be him to his Grace, in the persute of Johnne Craufurde of the Schaw and his sone, being than his Graces servandis, for thair slauchteris within the Cannogait in the moneth of Marche, the yeir of God j^{m}v^{c}lxxiiii yeris,—his Grace being in the Palice of Haliruidhous for the tyme. Quhairfoir, Williame Cunynghame of Capringtoun is becum actit and obleist cautionar and souirtie for the said Andro, that he sall fulfill and satisfie my said Lord Regentis Grace will within xv dayis nixt eftir the declaratioun thairof, under the pane of ten thowsand pundis; and the said Andro obleist him to releif the said Williame of the premissis and of all pane and dangeare that he sal happin to sustene thairthrow. Sic subscribitur: Andro Stewart Maister of Uchiltre. Williame Cunynghame of Caprintoun.

[David Vaus, Leith, obliges him that John Quhippo's whole goods shall be made furthcoming to the donator, Alexander Auchinleck, servant of the Regent, "in cais the letters of horning past for not geving up of the inventure of his wyffis gudis beis fund to be ordourly proceedit and execute aganis him."]

[Edinburgh, 5th June.]

Sederunt—Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Adamus Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Clericus Registri. Advocatus.

To denunce Archibald, Patrik, and Alexander M°Keis.

Anent the charge gevin be vertew of oure Soverane Lordis letters, to Archibald M°Ke of Myretoun, Patrik M°Ke his broder, and Alexander M°Ke in Quhytehillis, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to sic thingis as sould have bene laid to thair charge and inquirit of thame at thair cuming, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being callit, comperit Allane Cathcart of Bochtoun, purchessour of the saidis letters, and gaif in ane complaint in writt upoun the foirsaidis personis, anent diverse heirschippis and oppressionis done and committit be thame upoun him, besydis the persute of him self and his tenentis for thair bodelie harme and slauchteris, as the said complaint at mair lenth proportis. Quhairunto the saidis personis being oftymes callit to answer and thay not comperand, the Lordis of Secreit Counsale ordanis letters to be direct to denunce the saidis Archibald M°Ke, Patrik M°Ke, and Alexander M°Ke oure Soverane Lordis rebellis, and put thame to the horne, and to escheit, etc.

[Edinburgh, 10th June.]

[William Cuninghame of Caprington obliges him that Andrew Master of Ochiltree shall compear before the Council upon 1st August next, and that in the meantime he shall not attack or molest any of the lieges.[1]]

[Edinburgh, 18th June.]

[Torquil M°Leod apparent of the Lewis, presented Neill Angussone in Assint before the Council, who was again delivered to John Arnot Bailie of Edinburgh, to be kept in the Tolbooth of the same.]

[Dalkeith, 20th June.] Caution for Neill Angussone.

The quhilk day, James Maister of Rothes, Torquill M°Cloyd sone and apperand air to Rory M°Cloid of the Lewis, and Johnne Achesoun maister cunyeour, become souirteis, conjunctlie and severalie, to entir Neill Angussone in Assent, as haill man and feir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, at Haliruidhous or quhair it sal happin thame to be for the tyme, the twenty sext day of Junii instant, thair to remane quhill lauchfull entre be tane of him, under the pane of twenty thowsand pundis; and Patrik Lord Lindesay of the Byris obleist him to releif and keip skaythles the saidis James Maister of Rothes and Johnne Achesoun, and the said Torquill M°Cloid to releif the said Patrik Lord Lindesay of the premissis, and of all pane and dangeare that he sal happin to sustene thairthrow.

[1] Deleit be warrand and command of my Lord Regentis Grace in writt, daitit at Haliruidhous, the xviii of Februare 1576.

Sederunt—Jacobus Dominus Regens. Hugo Dominus Somervil. Joannes Dominus Hereis. Adamus Episcopus Orchadensis. Commendatarius Dunfermling, Secretarius. Magister Willelmus Baillie Dominus Provand. Clericus Registri. Advocatus. [Holyrood House, 23d June.]

Forsamekill as it is understand to the Regentis Grace and Lordis of Secreit Counsale, that thair is of late slauchter and utheris enormiteis happynnit betuix the freindis servandis and dependaris, of the Erllis of Ergyle and Atholl, quhairupoun thair is apperance of greit convocationis and further inconvenientis to follow gif tymous remeid be not providit. And his Grace and Counsale having thocht requisite to have ane greittar nowmer of the nobilitie present at the ordouring of sa wechtie a caus betuix sic partiis, thay being twa of the cheif nobill men of the realme, hes directit to have certane of thame maist ewest convenit for that end; and to the effect that all occasioun of further troubill and misrule sall rest and ly ower quhill the said ordour convenientlie may be takin, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, command and charge Coline Erll of Ergyle Lord Campbell and Lorne, and Johnne Erll of Atholl Lord of Balvany, that thay be thame selffis, thair kin, freindis, servandis, dependaris, and all that thay may lett, desist, ceise, and leif of frome all further troubill, making of convocatioun in armes, or invasioun and persute, ayther of thame utheris, thair boundis, kin, freindis, servandis and dependaris, be fyre, swerd, or ony uther hostilitie; bot to observe our Soverane Lordis peace and quietnes in the cuntre; attending for sic ordour and resolutioun as his Grace, with avise of the nobilitie and Counsale, sall tak anent the contraversiis and troublis alreddy happynnit, as thay will answer upoun thair dewitie and obedience to oure Soverane Lord and his authoritie at thair heichast charge and perrell, and under all hieast pane, charge, injurie and offence that thay and ayther of thame may commit and inrin aganis his Hienes, in caise of thair contempt and dissobedience. Charge on the Erllis of Ergyle and Atholl to keip gude rewle.

The quhilk day, Nicoll Purves, lorimer, and Johnne Nicolsoun, cordinar, burgessis of Edinburgh, ar becum actit and obleist cautionaris and souirteis, conjunctlie and severalie, for Johnne Wilsoun pewderare, alsua burges of the said burgh, that the said Johnne sall entir his persoun in ward within the Castell of Blaknes, and thair remane upoun his awin expenssis ay and quhill he be fred be my Lord Regentis Grace, as he sall be requirit thairto upoun sex dayis warning, under the pane of ane thowsand pundis; and the said Johnne obleist him to releif his saidis cautionaris of the premissis, and of all pane and dangeare that thay sal happin to sustene thairthrow. Sic subscribitur: Nicoll Purves and Johnne Nicolsoun, with oure handis at the pen led be Johnne Andro at our command, becaus we can not wryte. Johnne Wilsoun with my hand. [Edinburgh, 26th June.] Caution for Johnne Wilsoun.

Rory M°Cloyd and Torquill M°Cloydis band.

The quhilk day Rory M°Cloid of the Lewis and Torquill M°Cloid his sone and apperand air, become actit and obleist, that thay be thame selffis, —and takand the burding upoun thame for thair kin, freindis, servandis, tenentis, assistaris and partakaris,—sall behave thame selffis as dewtifull and obedient subjectis to oure Soverane Lord and his authoritie, that thay sall observe and keip his Hienes peace and gude ordour in the cuntre in tyme cuming, and on na wayis molest, stop, troubill or mak impediment to ony his Majesteis subjectis in thair lauchfull trade of fisching in the Lochis of the Lewis, or in utheris the North Ylis of this realme, nor utherwayis raise ony towist, extortioun, or impositioun upoun thame; bot to use thame as oure Soverane Lordis gude subjectis, causand thame be answerit of meit, drink, and utheris thair necessaris upoun thair ressonabill expenssis in all tyme heireftir, as thay will answer upoun thair obedience and allegeance to his Majestie and under all hieast pane, cryme, injurie and offence that thay may commit and inrin aganis his Hienes, in caise of contraventioun of ony point of the permissis.

The same day the said Rory M°Cloid obleist him to bring and present befoir my Lord Regentis Grace and Lordis of Secreit Counsall, Tormond M°Cloid his sone, to answer to sic thingis as salbe laid to his charge betuix the dait and the first day of November nix to cum, but forder delay, as he will answer upoun his obedience.

[Edinburgh, 27th June.] Caution for the Baillies of Prestoun.

The quhilk day James Hammiltoun in Prestoun become actit and obleist cautionar and souirtie for Richert Hendirsoun in Preston, Gilbert Gray, George Hammiltoun, and Richert Greir thair, that thay sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall, quhair thay sal happin to be for the tyme upoun the aucht day of Julii nixtocum, and answer at the instance of Marioun Cruke, conforme to the letters rasit thairupoun, ilkane of thame under the pane of ane hundrith pundis. Sic subscribitur: James Hammiltoun with my hand.

[Holyrood House, 28th June.]

Sederunt—Jacobus Dominus Regens. Georgius Dominus Seytoun. Hugo Dominus Somervile. Joannes Dominus Hereis. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Registri. Advocatus.

Haitleis.

Anent oure Soverane Lordis letters, rasit at the instance of Maister David Borthuik of Lochill his Majesteis Advocatt, Williame Lord Ruthven his Hienes Thesaurare, and Alexander Haitlie of Lambden and Johnne Libertoun his servand for thair interesse, makand mentioun.—That quhair

Burnfeildis.

Williame Burnfeild tutour of Grenelawdene, Adam Burnfeild of Hardakeris, Andro Burnfeild of Pittillishewch, Alexander Burnfeild of Nether Manys, James Burnefeild of Quhytehous, and Alexander Burnfeild of Gordoun Manys, for thame selffis as principallis—and takand the burding upoun thame for the haill suirname of Burnfeildis, thair brethir, thair

bairnis, tenentis, and servandis,—and Sir James Hume of Coldenknowis knycht, as cautionar and souirtie for thame,—become actit and oblist, conjunctlie and severalie, in the bukis of Secreit Counsale as eftir followis: That is to say, that the haill suirname of Burnfeildis, thair brethir, thair bairnis, tenentis and servandis, sould behave thameselffis as dewtifull and obedient subjectis to oure Soverane Lord his Regent, authoritie and wardane in tyme cuming; that thay sould observe and keip his Hienes peace, quietnes and gude rewle in the cuntre,—and on na wayis invade, persew, molest, or troubill the suirname of the Haitleis or thair partakaris utherwayis nor be ordour of law and justice,—under the pane of fyve thowsand pundis; and als that in caise the said suirname of Burnfeildis, thair tenentis or servandis, or ony of thame eftir the dait of the said Act,—quhilk wes at Hadingtoun the xix day of Januare, the yeir of God j^{m}v^{c}lxxiii yeris,—sould contravene the same, the comittar of the attemptatt sould be enterit afoir our Soverane Lord his Hienes Regent and Lordis of his Prevy Counsall upoun ten dayis warning, to answer to sic thingis as sould be laid to his charge, as the said Act maid thairupoun, of the dait foirsaid, at mair lenth proportis; sen the quhilk tyme, and speciallie upoun the secund day of Junii instant, George Burnfeild, sone to the said James Burnfeild of Quhytehous, come to the Brume besyde the place of Lambden pertening to the said Alxander Haitlie, quhair he wes gangand in verie quiet maner, dowblet allane, belevand na evill to have bene done to him, bot to have levit peciabillie; and befoir ony word spokin or occasioun of injurie offerit be him to the said George, in word, deid or countenance, he ran at the said Alexander with ane bandit staff and straik him thairwith in at the collar bane, and throw his rycht arme, to the greit effusioun of his blude; and thaireftir dischargeit twa pistolettis at him, the dangeare quhairof he narrowlie eschapit; lyke as immediatlie thairefter he hurt and woundit the said Johnne Libertoun with ane speir in the body, to the greit perrell and dangeare of his lyff, and schortlie thaireftir past to the place of Pittillishewch, quhair he wes ressett be the said Andro Burnfeild,—in hie contemptioun of oure Soverane Lordis authoritie and lawis, and expres contrair the tennour of the said Act. In respect quhairof, the saidis personis—principallis and thair cautionar abonewrittin—contenit thairintill, hes incurrit the said pane of fyve thowsand pundis, and the samyn aucht to be intromettit with and uptakin be oure said Soverane Lordis Thesaurarie in his Majesteis name, as appertening to his Hienes be the lawis of this realme. And anent the charge gevin to the saidis Adam Burnfeild of Hardakeris, Andro Burnfeild of Pittillishewch, Alexander Burnfeild of Nethir Manys, James Burnfeild of Quhytehous, Alexander Burnfeild of Gordoun Manys,—personis principallis, and Sir James Hume of Coldenknowis knycht thair cautionar,—to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have hard and se thame decernit to have contravenit and not observit and kepit the conditionis of the foirsaid Act, and thairfoir to have incurrit the said pane of fyve thowsand pundis contenit thairintill, and letters of horning or poinding and distrenyeing of

the reddiest of thair landis, gudis and geir to be direct aganis thame, for payment to oure said Soverane Lordis Thesaurare in his Hienes name, of the said sowme for the caussis foirsaidis; or ellis to haif allegeit ane ressonabill caus quhy the same sould not have bene done; with certificatioun to thame and thay failyeit, my Lord Regentis Grace and Lordis foirsaidis wald decerne and direct letters in maner and to the effect abone mentionat, conforme to the said Act. And als anent the charge gevin to the foirsaidis personis principallis and thair cautionar abonewrittin, to have enterit and presentit the said George Burnfeild, committar of the said attemptat, befoir my said Lord Regentis Grace and Counsale at ane certane day bipast, to have answerit to sic thingis as sould haif bene laid to his charge, eftir the forme and tennour of the said Act, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, utheris letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being callit, the saidis Maister David Borthuik, Alexander Haitlie and Johnne Libertoun comperand personalie, and the foirsaidis personis principallis complenit upoun, and thair said cautionar being alsua personalie present; the ressonis and allegationis of bayth the saidis partiis being hard and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, decernis the foirsaidis Adam Burnfeild of Hardakeris, Andro Burnfeild of Pittillishewch, Alexander Burnfeild of Nethir Manys, James Burnfeild of Quhytehous, and Alexander Burnfeild of Gordoun Manys, personis principallis,—and the said Sir James Hume of Coldenknowis knycht, thair cautionar abonewrittin,—to have contravenit and not observit and kepit the conditionis of the foirsaid Act, and thairfoir to have incurrit the said pane of fyve thowsand pundis contenit thairintill, and ordanis letters of horning—upon lx dayis—or poinding and distrenyeing of the reddiest of thair landis, gudis and geir, conjunctlie and severalie, to be direct aganis thame for payment to oure said Soverane Lordis Thesaurare in his Hienes name, of the said sowme; becaus thay being chargeit to have comperit befoir the said Regent and Lordis foirsaidis, to have hard and sene thame decernit to have contravenit the said Act, and thairfoir to incur the said pain, or ellis to have allegit ane ressonabill caus as said is; and thay comperand personalie in maner foirsaid, schew na ressonabill caus in the contrair; lyke as wes cleirlie understand to his Grace and Lordis foirsaidis. And als ordanis letters to be direct to denunce the saidis personis principallis and thair cautionar abonewrittin, oure Soverane Lordis rebellis, and to put thame to his Hienes horne, and to escheit, etc.; becaus thay being chargeit to have enterit and presentit the said George Burnfeild, committar of the said attemptat, befoir my Lord Regentis Grace and Lordis of Secreit Counsale, at ane certane day bipast, to have answerit to sic thingis as sould have bene laid to his charge, under the pane of rebellioun and putting of thame to the horne—with certificatioun to thame and thay failyeit, the saidis

letters sould be direct simpliciter to put thame to the horne—presentit not the said George, conforme to the said charge; lyke as wes alsua cleirlie understand to my Lord Regentis Grace and Lordis foirsaidis.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes de Angus. Gilbertus Comes de Cassillis. Hugo Dominus Somervile. Joannes Dominus Hereis. Adam Episcopus Orchadensis. Commendatarius Dunfermling Secretarius. Commendatarius Newbottill. [Holyrood House, 30th June.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be the brethir and maisteris of the goldsmyth craft within the burgh of Edinburgh, makand mentioun.—That quhair upoun the first day of Maii last bipast, quhilk is the ordinar and accustumat day observit past memor of man for chesing of dekynnis of craftis within the said burgh, thay chesit,—being for the maist part ordinarlie and lauchfullie assemblit,—Michaell Gilbert goldsmyth, ane of thair craft and fellowschip in Dekin to thame for this present yeir; quha being sufficientlie qualifiit be thame thairfoir, as alsua being a man of honest report, knawlege, and substance, to sustene and answer for the thingis belangand to that office and charge, thay burdynnit him as thay yit do, to accept the same upoun him. Howbeit he on the uther part, moved on quhat respectis thay knaw not, hes continewalie sen the said day of his electioun, and yit still, postponis and differris to accept the said charge of Dekin in and upoun him; and thairthrow not onelie ar thay far prejugeit in his default wanting thair Dekin as utheris craftis hes, bot the nobill men and gentill men of the realme to quhome thay have wrocht werk can not have the same visiit and markit, conforme to the Act of Parliament now eftir it is wrocht without summar remeid be providit. And anent the charge gevin to the said Michaell Gilbert to have acceptit the said office of dekin, and to use and exerce the same, conforme to the Actis of Parliament, within xxiiii houris nixt eftir the charge; or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and schawin ane ressonabill caus quhy he sould not do the samyn; with certificatioun to him and he failyeit, my Lord Regentis Grace and Lordis foirsaidis wald ordane him to be chargeit simpliciter thairto, lyke as at mair lenth is contenit in the said complaint. Quhilkis being callit, the saidis brethir and maisteris comperand be Mongo Bradie, Nicoll Sym, Johnne Mosman eldar, Michaell Sym, Johnne Mosman youngar, and Adame Allane, goldsmythis; and the said Michaell Gilbert comperand alsua personalie with Maister Thomas Craig his prelocutour; the ressonis and allegationis of bayth the saidis partiis being hard and considerit be my Lord Regentis Grace and Lordis of Secreit Counsall, and thay ryplie avisit thairwith;—my Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis, with consent of bayth the saidis partiis, the said Michaell Gilbert, to accept the said office of Dekin of goldsmyth craft, and Goldsmithis. Michaell Gilbert.

to use and exerce the same for this present yeir according to the Actis of Parliament maid thairanent; and becaus of his present inhabilitie and disease, declarit and considerit be my Lord Regentis Grace and Counsale, willis, permittis and ordanis Adame Craig, alsua goldsmyth and burges of the said burgh, to supple and help the said Michaell in the using of the said office at sic tymes as he salbe requirit upoun him, without prejudice of thair privilege in electioun of a Dekyn to the said craft in tyme cuming, conforme to the ordour observit in tymes past.

[John Cockburne of Ormiston, and John Lindsay of Covingtoun become cautioners for Robert Dalyell of that Ilk, that neither he nor the bairnis of Cristine Dalyell Lady Covingtoun shall molest William Creichton, tutor of Sanquhar, nor those subject to him as tutor and bailie.

John Levingstoun of Abircorne cautioner for William Creichton, tutor of Sanquhar, that neither he nor his followers shall trouble Robert Dalyell of that Ilk, Cristine Dalyell Lady Covingtoun, her bairns, tenentis, or servants; the said William Creichton, William Levingstoun of Jerveswod, Mr. James Blakwod parson of Sanquhair, Ninian Creichton of Auchintagart, John Hair, John Lokke in Glenquharry, Robert Greir in Ingliston, and William Creichton "abone Craak," relieving the said cautioner. John Andrew subscribes the obligation for John Hair, John Lokke and William Creichtoun "abone Craak," becaus they cannot write.

John Cunynghame of Cunynghamheid, cautioner for John Fairlie of Overmonok, that he shall enter in ward in Edinburgh Castle upon 11th November next, in respect of the surety now found, former Acts found be the said John discharged.]

[Holyrood House, 10th July.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Hugo Comes de Eglintoun. Andreas Comes de Rothes. Joannes Comes de Montrois. Willelmus Dominus Ruthven Thesaurarius. Patricius Dominus Lindesay. Robertus Dominus Boyd. Joannes Dominus Maxwell. Adam Episcopus Orchadensis. Alexander Episcopus Brechinensis. Robertus Commendatarius Dunfermling, Secretarius. Marcus Commendatarius de Newbottill. Clericus Registri. Computorum Rotulator. Advocatus.

Ergyle.

Forsamekill as upoun the occasioun of the lait slauchteris and utheris enormiteis quhilkis happynit betuix the freindis servandis and dependaris of the Erllis of Ergyle and Atholl, the Regentis Grace causit convene certane of the Nobilitie and Counsale, to have thair avise and counsale for ordouring and appeasing of the contraversy to the weill and quietnes of the cuntre; be quhais avise it is thocht gude that bayth the principall partiis be callit afoir his Grace and Lordis of Secreit Counsale at the place and upoun the

day underwrittin, to underly sic ordour as salbe thocht meit for the troubill alreddy happynnit, and eschewing of the lyke in tyme cuming; and thairfoir ordanis letters to be direct, chargeing the saidis Erllis of Ergyle and Atholl to compeir personalie, with thair freindis and servandis,—in peciabill maner, not exceding thre scoir personis, with ilk ane of thame,—befoir his Grace and Lordis foirsaidis at Haliruidhous or quhair it salhappin thame to be for the tyme, the xvi day of November nix to cum, to underly sic ordour and directioun as salbe imput to thame for the weill and quietnes of the cuntre in tyme cuming, under the pane of rebellioun, etc.; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne. And to the effect that na thing salbe attemptit in the menetyme to hinder the said gude ordour to be takin, to command and charge the saidis Erllis of Ergyle and Atholl, that thay be thame selffis, thair kin, freindis, servandis, partakaris, dependaris and all that thay may lett, desist, ceise and leif off frome all forder rasing of troubill, making of convocatioun in armes, or invasioun and persute ayther of thame utheris, thair boundis, kin, freindis, servandis, partakaris and dependaris,—be fyre, sword, depredatioun, or ony uther maner of hostilitie; and to subscrive and returne the forme of securitie, to be presentit to thame thairupoun, to indure unto the tent day of December nix to cum, quhairthrow materis may be the bettir and mair quietlie handillit to the commoun benefite and quietnes of the haill cuntre, as thay will answer upoun thair obedience and allegeance to oure Soverane Lord, and under all hieast pane and offence that thay may commit and inrin aganis his Majestie in that behalf; certifeing thame that dois in the contrair, or that movis occasioun of forder brek and inquietnes heireftir, the partie sa doand salbe repute and haldin as troublaris of the commoun quietnes, and movaris of insurrectioun; and his Grace and Counsall will declair thame selffis adversaris to the partie contravener, and use oure Soverane Lordis force aganis thame quhill thay be brocht to obedience, and utherwayis puneist for thair contempt and rebellioun as accordis.

Sederunt—Domini ut in die predicto.

[Holyrood House, 11th July.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne Grahame in Cannaby, makand mentioun;— that quhair Dik Grahame sone to Richert Grahame of Nethirby, Inglisman, having reft and takin fra the said Johnne certane gudis furth of his landis of Cannaby, he billit for restitutioun thairof agane to him, with dowbill and sapheir befoir the Wardane of Ingland, according to the lawis of the Bordour; and the said Richeis Dik being fylit in the said bill, wes thaireftir deliverit to my Lord Maxwell Wardane of the West Marcheis of this realme to remane with him quhill the samyn had bene payit; nochtwithstanding, he wes schortlie thaireftir borrowit hame agane upoun cautioun, quhilk wes Georde Grahame of Rampatrik sone to the said Richie, of quhome the said Johnne Grahame can have no restitutioun nor satisfactioun for the said bill;

Johnne Grahame in Cannaby.

Lord Maxwell.

nayther will Johnne Lord Maxwell, Wardane, caus and compell him to mak the said satisfactioun, albeit he hes oft and diverse tymes requirit him thairto, without he be compellit. And anent the charge gevin to the said Johnne Lord Maxwell, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the said complaint, as the samyn at mair lenth beris. Quhilkis being callit, bayth the saidis partiis comperand personalie, thair ressonis and allegationis being hard and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said Johnne Lord Maxwell to caus the said bill be sworne, and redres and payment to be maid of the samyn, conforme to the lawis and practik of the Bordour observit in sic caissis, betuix the dait heirof and the last day of August nix to cum, as he will answer to our Soverane Lord and my Lord Regentis Grace upoun the executioun of his office.

Men of Prestoun. Anent oure Soverane Lordis letters rasit at the instance of Richert Hendirsoun in Prestoun, Gilbert Gray, George Hammiltoun thair, and Robert Marioun Cruke. Greirsoun thair, makand mentioun;—that quhair Marioun Cruke,—allegeand Jherome Hammiltoun, hir spous, to have bene denunceit rebellis and put to the horne, and that the saidis complenaris being chargeit as Baillies of Prestoun and Prestoun Pannis, to tak and apprehend him within thair boundis and jurisdictioun, refusit to obey the said charge,—purchest letters thairfoir be deliverance of my Lord Regentis Grace and Lordis of Secreit Counsale, chargeing the saidis complenaris to have comperit befoir thame at ane certane day bipast, to have answerit to the said complaint under the pane of rebellioun; and for allegeit noncomperance purchest utheris letters quhairwith schō hes alreddy, at the leist intendis, to caus denunce thame rebellis and put thame to the horne; albeit it is of veritie that thay kepit the said day appointit for thair comperance, and sindry dayis thaireftir, and wes not callit; in respect quhairof, and that the samyn day wes peremptour thay hopit na forder sould have procedit aganis thame without new warning; and swa thair absence and noncomperance procedit rather of ignorance and simplicitie, nor utherwayis upoun contempt of the said charge; for it is of veritie that thay nather ar nor wer Baillies, nor yit buir thay ony uther publict office within the said toun the tyme of the first charge gevin thame nor sensyne, alwayis thay ar now content to compeir and answer conforme to the saidis utheris letters, and hes fundin cautioun thairupoun as efferis. In respect quhairof the saidis letters of horning aucht to be simpliciter suspendit upoun thame in tyme cuming. And anent the charge gevin to the said Marioun Cruke, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand with hir the saidis letters, with the executionis and indorsationis thairof, to have bene sene and considerit, and to have hard the same effect thairof, and proces of horne contenit thairin, simpliciter suspendit upoun the saidis complenaris in tyme cuming, for

the caussis foirsaidis, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The saidis Richert Hendirsoun, Gilbert Gray, George Hammiltoun and Robert Greirsoun comperand personalie, and the said Marioun Cruke being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, suspendis the saidis letters, effect thairof and proces of horne contenit thairintill, upoun the saidis complenaris in tyme cuming, ay and quhill thay be producit befoir his Grace and Lordis foirsaidis, and that the saidis complenaris be warnit to the productioun of the samyn as efferis.

[Alexander Haitlie of Lambden, Henry Haitlie of Mellestanis, John Haitlie of Brumehill, George Haitlie in Hordlaw, Thomas Haitlie in the Sneip, and Laurence Haitlie in Haliburtoun, for themselves, and for all the Haitlies as principals, and Andrew Hege of Bemerside, Thomas Ramsay of Wyliecleuch, and John Hoppringill of Smalhamecraig, become cautioners for them that the Haitlies and their followers shall be dutiful and obedient subjects, keeping good rule in the country, and not molesting any of the surname of Burnfield. The obligation is subscribed by the principals and cautioners, John Andrew signing for those of them who cannot write.] Caution for the Haitleis.

[Holyrood House, 12th July.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Hugo Comes de Eglintoun. Andreas Comes de Rothes. Joannes Comes de Montrois. Willelmus Dominus Ruthven, Thesaurarius. Patricius Dominus Lindesay. Robertus Dominus Boyd. Adam Episcopus Orchadensis. Alexander Episcopus Brechinensis. Commendatarius Dunfermling. Clericus Registri. Magister Willelmus Baillie Dominus Provand. Advocatus.

Geordie Grahame.

Abbott of Jedburgh.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be George Grahame of Rampatrik, makand mentioun;—that quhair Andro Commendatare of Jedburgh,—allegeand that the said George wes lauchfullie warnit, to have removit, flittit, desistit and ceissit fra certane landis of Cannaby quhilk he and his predecessouris hes broukit thir mony yeris bigane, of the quhilk he is in possessioun as kyndlie tenent and possessour,—hes obtenit letters in the four formes, and thairwith hes chargeit him to remove fra the same, and be vertew of the saidis letters wranguslie to put him to the horne,—albeit it is of veritie that he menit him of befoir to my Lord Regentis Grace and Lordis of Secreit Counsale, and obtenit letters direct to Johnne Lord Maxwell, Wardane of the West Marches of this realme, chargeing him and his deputtis to keip the said George in possessioun of the landis foirsaidis in tymes cuming, ay and quhill he had bene lauchfullie callit, and befoir my Lord Regentis Grace and Lordis foirsaidis, and ordourlie put thairfra, as the saidis letters remanand in the handis of the said Wardane for his warrand at mair lenth proportis. Nochttheles the said Andro Commendatare of Jedburgh, takand na regaird thairof, is myndit, as the

said George is informit, wranguslie to put him to the horne be vertew of his saidis letters purchest be deliverance of the Lordis of Sessioun. And anent the charge gevin to the said Andro Commendatare of Jedburgh, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the said complaint, as the samyn at mair lenth beris. Quhilkis being callit, the said George Grahame comperand personalie, and the said Commendatare and Dene James Oliver Pryour of Cannaby being alsua personalie present, the rychtis, ressonis, and allegationis, of bayth the saidis partiis, being hard sene and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith;—my Lord Regentis Grace and Lordis foirsaidis, understanding the saidis landis of Cannaby to have bene possest of lait be sic men as wer providit and reddy at all tymes for the service and accumpanyeing of the Wardanis of the West Marche at dayis of Trew, and utherwayis for defence of the realme, and that in that respect na novatioun aucht to be usit upoun thame; and thairfoir ordanis Johnne Lord Maxwell Wardane of the said West Marche, and the saidis Andro Commendatare of Jedburgh and Dene James Oliver Pryour of Cannaby, to convene upoun the ground of the saidis landis, and tak tryell and inquisitioun quha wer the auld kyndlie tenentis and possessouris of the same, and gif ony of thame beis fund removit or put thairfra, that the saidis Commendatare and Pryour mak new securitie to them, be rentall or utherwayis, quhairthrow thay may be enterit and bouke the same in tyme cuming, for payment—ilkane of thame—of a ressonabill dewitie thairfoir; and in the menetyme that na novatioun or troubill be maid to the present possessouris of the said landis, bot that thay may be sufferit to brouke the same quhill the said tryell and ordour be tane as said is; dischargeing the saidis Commendatare and Pryour, and all utheris, officiaris of armes,—of all putting to executioun of the decreit and letters obtenit be the saidis Commendatare and Pryour, upoun the said George Grahame and utheris the tenentis of the saidis landis, in tyme cuming,—and of thair offices in that part.

Maister Williame Walwod.

Anent oure Soverane Lordis letters direct, makand mentioun;—that forsamekill as my Lord Regentis Grace, understanding the greit corruptioun and neglecting of dewitie within the Collegis of the Universitie of Sanctandrois, travellit thair in propir persoun, and be avise of the Rector, Dene of Facultie, and principall maisteris of the said Universitie, devysit and statute certane lovabill actis and orders for the exercise of publict lecturis in all liberall sciences within the said Collegis; quilkis in sindry pointis sensyne hes bene violatit and neglectit,—as alsua the vacand places quhilkis be the foundationis ar appointit for qualifiit resident personis, ar not providit for, tymouslie and ordourlie, as appertenis; and specialie althocht the thrid place of the New College of the said Universitie now vaikis, and that our Soverane Lord hes recommendit his weilbelovit Maister Williame Walwod thairto, to be admittit to the using of the same according to the

saidis Actis and lovabill ordouris; nevirtheles the said recommendatioun is rejectit and the said place still kepit vacand, to the greit lett and hinderance of the incres of gude letters and contempt of our said Soverane Lordis directioun. And anent the charge gevin to the said Maister Robert Hammiltoun and remanent maisteris of the said College, to have procedit to the ressaving and admissioun of the said Maister Williame Walwod to the said thrid place within the said New College,—according to the presentatioun and recommendatioun foirsaid and ordour abone writtin takin be my Lord Regentis Grace within the said Universitie,—within ten dayis nixt eftir the said charge, under the pane of rebellioun and putting of thame to the horne; or ellis to have schawin ane ressonabill caus quhy thay sould not do the same,—at ane certane day bipast befoir Johnne Lord Glammis Chancellare, quhom unto my Lord Regentis Grace gaif commissioun, to heir the ressonis and allegationis of bayth the saidis partiis; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter in maner and to the effect abonewrittin; lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. Quhilkis being callit, the said Johnne Lord Glammis being personalie present, reportis the ressonis and allegationis of bayth the saidis partiis hard and ressavit be him at Sanctandrois, quhilkis—with ane testimoniall of certane leirnit men upoun the qualificatioun and conversatioun of the said Maister Williame—being considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Maister Robert Hammiltoun and remanent Maisteris of the said College, to proceid to the ressaving and admissioun of the said Maister Williame Walwod to the said thrid place within the said New College, according to the presentatioun and recommendatioun foirsaid and ordour abonewrittin, takin be my Lord Regentis Grace within the said Universitie, within ten dayis nixt eftir thay be chargeit thairto, under the pane of rebellioun, etc., and gif thay failye to denunce, etc., and to escheit, etc.

Maisteris of the New College in Sanctandrois.

The quhilk day Williame Lord Ruthven, Thesaurare to oure Soverane Lord, bindis and obleissis him and his airis, to content and pay to Johnne Lord Maxwell Wardane of the West Marches of this realme or his servandis in his name, the sowme of auchtene hundrith pundis usuale money of Scotland, and that in full and compleit payment of his fe and pensioun quhilkis he hes of oure Soverane Lord for using of the said office of wardanerie, of the termis of Martimes in the yeir of God j^{m}v^{c}lxxiii yeris, Witsonday and Martimes, in the yeris of God j^{m}v^{c}lxxiiii and lxxv yeris, and Witsonday in this instant yeir of God j^{m}v^{c} thre scoir sextene yeris, betuix the day and dait heirof and the Feist of Martimes nix to cum, but forder delay fraud or gyle, and is content and consentis that letters and executoriallis of horning or poinding be direct aganis him gif neid be to the effect foirsaid, in forme as efferis. Sic subscribitur: Willelmus Thesaurarius.

Thesauraris Obligatioun to the Lord Maxwell.

[George Hume of Weddirburne cautioner for Adam Burnfeild of Hardakeris, Johnne Burnfeild tutor of Grenelawdene, Andro Burnfeild of Pittillisheuch, Alexander Burnfeild of Gordoun Manys, James Burnfeild of Quhytehous and Alexander Burnfeild of Nethir Manis, at present in ward in Edinburgh Tolbooth,—that being freed, thay shall enter again when required, and that in the meantime they shall not molest the Haitleis.]

[Edinburgh, 14th July.] [George Douglas of Bonjedburgh cautioner for Johnne Turnbull of Mynto, Walter Turnbull in Bewly, Dand Davidsoun in Kamys, Watt Turnbull in Tronyhill and Dand Turnbull there, that William Turnbull in Barnhillis, Johnne Turnbull of Howdane, George Turnbull in Halrowle, Adam Turnbull in Bullirwell, Adam Turnbull in Belcheis, and Mongo Bennet in Chesteris, their tenents and servants, shall be skaithless of the said persons till the Feast of Pasch next, under certain pains. Johnne Andro subscribes the act of caution for Johnne Turnbull of Mynto.

Thomas Turnbull of Badroule knycht, Williame Ayllie Bailie of Jedburgh, and Williame Turnbull in Barnhillis, become cautioners for John Turnbull of Howdane, George Turnbull in Halrowle, Adam Turnbull in Bullirwell, Adam Turnbull in Belcheis, Mongo Bennet in Chesteris, and the said Williame Turnbull in Barnhillis, that Johnne Turnbull of Mynto, Walter Turnbull in Bewly, Dand Davidsoun in Kamys, Watt Turnbull in Tronyhill, and Dand Turnbull there, shall be skaithless of the said persons under certain pains. Johnne Andro subscribes the band for Williame Turnbull in Barnhillis.]

[Dalkeith, 17th July]. Thomas Williamsoun. Sanctmonanis. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Thomas Williamsoun, upoun James Sandelandis eldar of Sanctmonanis, tuicheing the cruell stryking and hurting of the said Thomas on his heid schulderis and diverse utheris partis of his body, and persewing of him utherwayis for his bodelie harme and slauchter; lyke as at mair lenth is contenit in the principall letters direct thairupoun. Quhilkis being callit, bayth the saidis partiis comperand personalie, my Lord Regentis Grace, with avise of the saidis Lordis, admittis the said complaint to the said complenaris probatioun, and assignis to him the secund day of September nix to cum for preving thairof, and ordanis him to have letters to summond witnessis, under the pane of rebellioun, with certificatioun, etc., and in the menetyme continewis, etc., bayth the saidis partiis warnit heirto apud acta.

[Edinburgh, 18th July.] Obligatioun for prenting of the Bybill. The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Maister Henry M^cCalyeane procuratour for Alexander Arbuthnot burges of Edinburgh, David Guthre of Kincaldrum, Williame Guthre of Halkertoun, Williame Rynd of Carse, and James Arbuthnot of Lentusche, and gaif in this band and obligatioun underwrittin, and wes content and consentis that the samyn sould be actit and registrat

in the bukis of Secreit Counsale, and decernit to have the strenth of ane act and decreit of the Lordis thairof, and thair authoritie to be interponit thairto, and letters and executoriallis to be direct thairupoun in forme as efferis. Of the quhilk obligatioun the tennour followis. Be it kend till all men be thir present letters, we, Alexander Arbuthnot merchand, and Thomas Bassinden imprentair, burgessis of Edinburgh: That forsamekill as oure Soverane Lord, with avise and consent of his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to his Hienes his realme and liegis, hes grantit us, not onelie licence for imprenting of the Bybill, bot als hes causit us be avanceit of the pryces of a greit nowmer of the same Bybillis afoir hand, for furthering of the werk,—and that be contributioun of parrochynnaris of the parroche kirkis, inbrocht and collectit be the laubouris and diligence of the Bischoppis Superintendentis and Visitouris of the Dyoceis and cuntreis, according to ane ordour and aggrement maid betuix thame and us, allowit and authorizit be the Regentis Grace. And in respect that the werk hes not yit takin effect, in respect of the impedimentis occurring, as alsua that—sen the conditioun making, the souirtie fund be me the said Alexander Arbuthnot is departit this lyff,—it hes plesit the Regentis Grace yit to grant unto us the space of nyne monethis following the last day of Marche instant for wirking and performing of the said werk, within the quhilk space we have promittit that the werk salbe accomplissit, and the bukis deliverit to the debursaris of the said avancement and contributioun, conforme to the said aggrement;—thairfoir to be bundin and obleist, and be the tennour heirof bindis and obleissis us, conjunctlie and severalie, as principallis; David Guthre of Kincaldrum, Williame Guthre of Halkertoun, Williame Rynd of Kerse and James Arbuthnot of Lentusche, as souirteis, conjunctlie and severalie for me, the said Alexander Arbuthnot; and James Norwell burges of Edinburgh, as souirtie for me the said Thomas Bassinden, our airis and executouris; that we sall wirk, end, and perfyte the said werk of imprenting of the Bybill dewlie and sufficientlie, within the said space of nyne monethis nixt following the said last day of Marche instant, and sall deliver the bukis, bund in blak and claspit, to the use of every parrochyn that hes avanceit and gevin the said contributioun for furthering of the said werk, howsone eftir the end of the saidis nyne monethis as we salbe requirit be ony ane of the parrochyn, or ony uther in name of the same, havand thair directioun to ressave the said Bybill,—but forder delay, fraude or gyle; and in caise of failye, sall rander and deliver the money ressavit be us, to every ane parrochyn thair awin part and portioun. And als we, the saidis Alexander and Thomas obleissis us, oure airis and executouris, to releif and keip skaythles our saidis souirteis respective, of the premissis, and of all pane and dangeare that thay sal happin to sustene thairthrow; and heirto we bind and obleissis us as said is, oure airis and executouris, to oure Soverane Lord and the debursaris and avancearis of the said money, and thair successouris, in the stratest forme and sicker style of obligatioun that can be divisit or maid, na remeid or exceptioun of law to be proponit or allegeit in the contrair, renunceand

the same for us, oure airis and executouris, for evir. Attour, we ar content and consentis that this oure obligatioun be actit and registrat in the bukis of Secreit Counsale, to have the strenth of ane act and decreit of the Lordis thairof, and that letters and executoriallis of horning or poinding be direct thairupoun in forme as efferis; and for acting and registratioun of the same in the saidis bukis, and consenting that letters and executoriallis be direct as said is, to have made, constitute and ordanit—and be the tennour heirof makis, constitutis and ordanis—Maister Henry Makcalyeane, etc., conjunctlie and severalie, oure procuratouris, in uberiori forma promittendo de rato. In witnes of the quhilk thing we have subscrivit this present obligatioun with our handis as followis, at the xvi, xvii, and xviii dayis of Marche respective, the yeir of God j^{m}v^{c}lxxv yeris, befoir thir witnessis. Sic subscribitur: David Guthre of Kincaldrum. Thomas Bassindane. A. Arbuthnet with my hand. Williame Guthre of Halkartoun. Willame Rynd of Carse. James Norwell with my hand. James Arbuthnott.

Assurance gevin be Ergyle to Atholl.

Be it kend till all men be thir present letters, we, Coline Erll of Ergyle Lord Campbell and Lorne,—at command, and for obedience of oure Soverane Lordis letters, past be deliverance of the Regentis Grace and Lordis of Secreit Counsals,—to be bundin and obleist, and be the tennour heirof faythfullie promittis and obleissis us upoun oure trewth and honour, that we, be oure self oure kin freindis servandis partakaris dependaris and all that we may lett, sall desist ceise and leif of frome, all rasing of troubill, making of convocatioun in armes, or invasioun and persute of Johnne Erll of Atholl Lord of Balvany, his bounds kin freindis servandis and dependaris, be fyre swerd depredatioun or ony uther maner of hostilitie, quhill the tent day of December nix to cum. In witnes heirof we have subscrivit thir present letters with our hand, at Dunnone, the xx day of Julii, the yeir of God j^{m}v^{c}lxxvi yeris, befoir thir witnessis, Donald M^{c}Ewin V^{c}Oneill in Lochaber, Williame Stewart of Ambose More, Robert Stewart of Achenasky, Neill Campbell of Blair, Neill Campbell persoun of Craigneische and Johnne Ogstoun. Sic subscribitur: C. Ergyll.

[John Earl of Atholl subscribes at Dunkeld, on 22d July, a band of assurance to the same effect in favour of Coline Earl of Ergyle.]

[Holyrood House, 22d July.] Band for Rory M^{c}Cloyd.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Maister Thomas Craig procuratour for Coline Erll of Ergyle Lord Campbell and Lorne, and gaif in this band and obligatioun underwrittin, desyring the samyn to be actit and registrat in the bukis of Secreit Counsale, and decernit to have the strenth of ane act of the Lordis thairof, and thair authoritie to be interponit thairto, and letters and executoriallis to be direct thairupoun in forme as efferis. Quhilk desire the saidis Lordis finding ressonabill, hes ordanit the said band and obligatioun to be insert in the saidis bukis, of the quhilk the tennour

followis: Be it kend till all men be thir present letters, me, Coline Erll of Ergyle Lord Campbell and Lorne, to be bundin and obleist, and be the tennour heirof bindis and obleissis me as cautionar and souirtie for Rory M^{c}Cloid of the Lewis, that the said Rory sall compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale, and answer to sic thingis as salbe laid to his charge, as he or I salbe requirit thairto, upoun fourty dayis warning, under the pane of fyve thowsand pundis; and for the mair securitie I am content and consentis that thir presentis be actit and registrat in the bukis of Secreit Counsale, and have the strenth of ane act and decreit of the Lordis thairof, and thair authoritie to be interponit thairto, and letters and executoriallis to be direct thairupoun in forme as efferis; and for acting and registring of the samyn, makis constitutis and ordanis Maisteris Johnne Scharp, Thomas Craig, my procuratouris, to compeir befoir my Lord Regentis Grace and Lordis foirsaidis, and in my name consent to the registring heirof in uberiori forma promittendo de rato, in witnes quhairof I have subscrivit thir presentis with my hand as followis: At Dunnone, the nynt day of Julii, the yeir of God j^{m}v^{c}lxxvi yeris, befoir thir witnes, Neill Campbell persoun of Craigneische, Archibald Campbell Capitane of Dunnone, Neill Campbell of Blair, and Johnne Ogstoun. Sic subscribitur: Ergyll.

[Thomas Ottirburne of Reidhall surety that Allan Stewart, son of James Stewart of the Glennis, and Johnne M^{c}Ane V^{c}Coull V^{c}Aglassre shall answer before the justice in Edinburgh on 18th October next, at accusation of the Earl of Ergyle. Johnne Wod of Geliston and Alexander Clerk, burgess of Edinburgh, sureties that the Earl shall prosecute.] [Edinburgh, 30th July.]

Anent the charge gevin be vertew of oure Soverane Lordis letters to—George Erll of Huntlie Lord Gordoun and Badyenoch, Williame Erll Marschell Lord Keith, Alexander Irwing of Drum, Williame Craufurd of Fedderat, George Meldrum of Fyvie, James Gordoun of Methlik, James Stewart of Pitgar, Maister Alexander Arbuthnot Principall of the College of Abirdene, Johnne Commendatare of Abirbrothok, Robert Commendatare of Deir, Thomas Meldrum of Eden, Andro Meldrum of Darley, George Gray of Scheves, and Hary Gordoun of Haddo,—to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to answer and abyde tryell upoun thair defaultis and failyeis, in non-observing and keping of the pointis of the Generall Band contenit in the saidis letters; and to be decernit to have failyeit and contravenit the same, and to underly punisement thairfoir in thair personis and gudis at the will of our Soverane Lord; as alsua to answer for the escheit gudis of the personis rebellis contenit in the saidis letters, as the same, with the executionis and indorsationis thairof, at mair lenth proportis. Quhilkis being callit, comperit personalie the saidis Robert Commendatare of Deir, James Stewart of Petgar, Thomas Meldrum of Eden, and als the said Commendatare of Deir; and Maister Alexander Skene advocat, comperand in the [Edinburgh, 31st July.] Northland men upoun the Generall Band.

name of Williame Erll Marschell, quhais present inhabilitie for travell wes testifiit be Maister Andro Mylne, minister at Fetteresso and Dunnotter. The saidis personis comperand offerand thame reddy to answer, according to the command and desire of the saidis letters. The Lordis of Secreit Counsale continewis the said mater in the same forme; force and effect as it is now, but prejudice of partie, unto the last day of October nix to cum, the personis and procuratour present warnit thairto apud acta.

[Edinburgh, 1st August.] [Hew Montgomery of Hessalheid, surety that Malcolme Craufurd of Kilbirny shall not molest David Barclay of Ladyland nor his tenents.

Robert Boyd of Badinhath, surety that David Barclay of Ladyland shall not molest Malcolme Craufurd of Kilbirny or his tenents.]

Band of Roxburgh. We, the Erllis, Lordis, Baronis, and utheris undersubscrivand, to be bundin and obleist—and be the tennour heirof bindis and obleissis us—to the Kingis Majestie our Soverane Lord and his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to his Hienes, his realme and liegis, as followis—That is to say: Forsamekill as my said Lord Regentis Grace hes at all tymes, and specialie sen his acceptatioun of the regiment of this realme, takin greit and panefull travellis in quieting the Bordouris thairof, and namelie of the rebellis people inhabitantis of the cuntreis adjacent to the Bordouris; and we, having regaird to the innumerabill slauchteris, fyre rasingis, thiftis, reiffis, heirschippis and utheris detestabill enormiteis, dalie committit be thame upoun the peciabill and trew subjectis of this realme in tymes bipast, quhairin thay wer not abill to execute thair crueltie gif we in the feir and obedience of God and our Soverane Lord, aufauldlie concurrit togidder to resist thame. Thairfoir we and every ane of us undersubscrivand, be thir present letters, avowis and declaris our selffis obedient subjectis to the Kingis Majestie oure Soverane Lord and his authoritie, and professit enemeis to all declarit tratouris and fugitives for the murthouris of the King our Soverane Lordis dearest fader, and Regentis; and to all utheris declarit tratouris and thevis, fugitives, that hes not gevin thair dew obedience and maid suretie thairfoir, and to thair wyffis bairnis tenentis and servandis assistand and partakand with thame; obleissand us that we nor nane of us at ony tyme heireftir, sall ressett, supple or intercommoun with ony of the saidis declarit tratouris or thevis, fugitives, or thair wyffis bairnis or servandis assistand and partakand with thame, or gif thame meit drink hous or herbry, or suffer ony meit drink or victuallis, to be brocht had or careit to thame, furth or throw our boundis, baillieris, townis and landis, quhair we may lett; nor yit sall we tryist or haif intelligence with thame in previe or in publict without knawlege and leif of our Soverane Lord, his Regent or utheris havand power and authoritie to that effect; or suffer thame to resort to mercattis or tryistis throw our boundis; nor yit permit thame, thair wyffis, bairnis and servandis assistand and partakand with thame, to dwell, remane or abyde,

or to pasture thair gudis upoun ony our landis, takkis, rowmes or within our baillieries or townis; without favour, assurance or freindschip, renunce-and and dischargeand all kyndnes, bandis, promeissis, assurances and conditionis that we or ony of us hes enterit in with thame in ony tyme bigane afoir the dait heirof, as we will answer to God, and upoun our dewitie and allegeance to our Soverane Lord, his authoritie and Regent foirsaid; and in caise we failye in ony part of the premissis, or revelis not the contravenaris of this band gif we knaw thame, we ar content to be puneist thairfoir conforme to the Generall Band and panis contenit thairin; as alsua, in caise the resistance or persute of the saidis declarit tratouris and thevis, fugitives, or ony of thame, it sal happin thame to be slayne and brint, or ony of us and our freindis to be harmit be thame, we sall evir esteme the querrell and deidlie feid equall to us all, and in the menetyme sall tak aufauld, trew and plane part, ilkane with uther. In witnes of the quhilk thing we have subscrivit this present band with our handis as followis: At Jedburgh, the xxviii day of August, the yeir of God $j^{m}v^{c}lxxiii$ yeris. Sic subscribitur: Johnne L. Maxwell. Williame L. Hay of Yeistir. Williame L. Borthuik. Alexander Commendatare of Coldinghame. James Sandelandis. Bukclewch, knycht. Haltoun, knycht. Apilgirth. Herys. Cranstoun of that Ilk. Drumlangrig. Lochinwer. Johnne Johnnestoun. Walter Scott. Walter Cheisholme of that Ilk. James Langlandis of that Ilk, with my hand at the pen—A. Hay. James Gledstanis of Coklaw, with my hand at the pen—A. Hay. Williame Dowglas of Caveris. James Hammiltoun of Sanct Johnnis Chapell, with my hand at the pen—A. Hay. Johnne Flemyng. David Sinclair of Blanse. Johnne Charteris. Robert Maxwell of Cowhill. Alexander Hume of Manderstoun. Thomas Turnbull of Badroull. Robert Ellot of Reidhewch. Andro Rutherfurde of Hundeley. Johnne Rutherfurde of Hunthill, with my hand at the pen—A. Hay. Richert Rutherfurde of Edyerstoun. Williame Dowglas of Bonejedburgh. Robert Fraser of Overtoun, with my hand at the pen—D. Watt. Scraling, knycht. Johnne Turnbull of Mynto, with my hand at the pen—D. Watt. James Makdowell of Makcarstoun. Cesfurd. Williame Ker. Walter Ker of Litildane. Sir James Home. Andro Ker of Fawdounsyde. Phillophawch. Thomas Ker of Mersingtoun. Williame Turnbull. Johnne Mow of that Ilk. George Ker, tutour of Graden, with my hand at the pen—A. Hay. David Turnbull of Wauchop, and Hector Turnbull, my sone and apperand air, with our handis at the pen—A. Hay. Johnne Edmestoun, knycht.

Auld Band of Roxburgh.

Be it kend till all men be thir present letters: We, quhais names ar undersubscrivit, to be bundin and obleist, and be the faythis and trewthis in our bodiis bindis and obleissis us and our airis, to oure Soverane Lady and hir successouris, that forsamekill as hir Hienes, with consent avise and authoritie of hir dearest cousing and tutour James Duke of Chestellarault Erlle of Arrane Lord Hammiltoun etc. Protectour and Governour of his realme, of thair gratious benevolence, hes grantit

remissioun for mony crymes to us, our houshald men, tenentis, and servandis, and indwellaris upoun our landis rowmes and within our takkis and baillieris. Thairfoir in all tyme cuming we sall keip and caus be kepit gude rewle within the saidis boundis for obeyance of oure Soverane Lady's authoritie, ease, and weill of the cuntre in maner as eftir followis, that is to say, and in the first. We nor nane of us in tyme of weir nor utherwayis in tyme cuming, sall not assuir our auld ennemeis of England, nor tak assurance of thame, nor sit under the same takin be utheris, be day or nycht, in prevy or in pert, under the panis contenit in the Actis of Parliament, viz.,—of tinsell of lyff landis and gudis, deleting furth of memory of our names and honour of our houssis,—to be execute upoun us with all rigour; and gif ony personis dwelland within ony of our houssis upoun our landis, or within our takkis stedingis rowmes and baillieris, committis ony cryme sic as tressoun, fyre-rasing, murthour, revesing of wemen, slauchter, mutilatioun, reif, thift, ressett of thift, forthocht fellony, commoun oppressioun, hamesuckin, ressett of horne, assistence to thevis or tratouris; eftir the committing of ony sic falt, we—or ony of us under quhome the said persoun dwellis being requirit thairto be the Quenis authoritie, or be hir Justice or Justice Clerk—sall entir the persoun declarit of the faltis ane or ma, owther in generall justice airis or particular diettis, as we salbe requirit upoun xv dayis warning, to underly the law for the samyn crymes that thay ar delaitit of befoir the Justice or his deputtis, ilk persoun under the panis contenit in the Actis of Parliament; and becumis souirtie thairfoir to the secund air or court peremptour, and sall answer to our Soverane Lady and hir successouris for thair escheit gudis, in cais the personis or ony of thame beis fugitive and will not compeir and underly the law for sic crymes as thay salbe delaitit of; we sall expell and put thame furth of our boundis, heretage, takkis, stedingis, rowmes, and baillieris, thair wyffis and bairnis, and sall tak thair stedingis and takkis fra thame and put in uther personis to use and occupy the same, and sall hald the malefactouris, thair wyffis and bairnis, perpetuallie furth of the saidis takkis and stedingis; and gif it sal happin ony of the malefactouris, to resort and cum agane within our boundis, and beis sufferit to remane thairin xii houris, our witting,—in that cais we grant us culpabill and accusabill of ony crymes or skaythis that it sal happin the saidis malefactouris, or ony of thame, to commit the tyme of thair returning or receptatioun; and alsua gif ony of oure Soverane Ladiis rebellis put to hir horne cumis within our boundis foirsaidis, or within ony part of the schyre quhair we dwell in,—or gif ony conspiratouris aganis our Soverane Ladiis authoritie happynnis to be or to cum within the cuntre or schyre we dwell in,—we sall ryise togidder aganis thame with oure kin, freindis, men, tenentis, servandis, and adherentis, and persew thame, tak and bring thame to the law gif it be in our power, and sall slay thame or put thame furth of the cuntre; and to this effect we sall ryise and convene togidder to put this to executioun, aganis all rebellis, conspiratouris and withstandaris of the Quenis authoritie; and mairower, nane of us sall assuir nor be assuirit

with thevis of Scotland in tyme cuming, bot quhen evir that ony effray of thevis or revaris happynnis within our boundis foirsaidis, we sall at the effray and forray,—be our selffis, our servandis, kin, freindis and sa mony partakaris as we may get,—ryise, follow, and persew the saidis thevis and revaris at the uttirmest of our power, quhen ony depredatioun or maisterfull reiffis be maid be thame upoun ony Scottis men, lyke as we wald do for the defense and reskew of our awin propir gudis, in caise thay wer in the samyn dangeare, we being warnit, be the schowte, baillis in the cuntre, or utherwayis; and gif it beis fundin that we ly still at sic frayis foirsaidis and sufferis the saidis thevis or revaris to herry our Soverane Ladiis liegis not makand thame the impediment we may; than and in that cais we grant us culpabill and accusabill of thair thiftuous and evill deidis, and art and part with thame thairintill. And gif it happynnis ony stowth reif or oppressioun, to be maid upoun ony personis, be the inhabitantis of oure landis takkis stedingis rowmes and baillieris foirsaidis, it salbe lefull to the persoun or personis quhome upoun the said stowth or reif is committit, be thame selffis or ony utheris in thair names, to persew the thevis, steilaris of thair gudis recentlie,—viz., within four dayis nixt eftir it be stollin—as thay pleis best for recovering of thair awin gudis agane. And quhen thay get suir advertisement that the thevis or thift be ressett within our boundis foirsaidis, and cumis and schawis the same to us, we salbe haldin,—owther be our selffis, or ane of the speciall men of our kin, or ane auttentik servand,—to ryde, serche, and seik the saidis stollin gudis throuchout all our boundis; and gif the same beis apprehendit and fundin thairin, to mak dew restitutioun to the partie complenar without ony forder delay, and to present the steilaris to our Soverane Ladiis Justice, to be puneist for thair demerittis gif thay can be apprehendit. And gif we failye hereintill we ar content to be haldin culpabill and accusabill of the crymes foirsaidis, and as favouraris, assistaris, and partakaris with the saidis thevis in thair thifturus and evill deidis, and to be callit and puneist thairfoir with rigour; and heirto we sall do all our possibill diligence. Quhairupoun gif we failye, we ar content to abyde the knawlege of ane assyise quhen evir and in quhat place our Soverane Lady, my Lord Governour and hir Hienes successouris, sall call to be accusit; and gif it beis fundin that we be culpabill or faltie of ony of the premissis, it salbe lesum to oure Soverane Lady and hir Governour foirsaid to puneis us, be deid, presoning, or confiscatioun of our gudis, at thair will, and to hald us culpabill of all faltis to be committit be malefactouris that we gif ony favour or assistence to. And als nane of us sall ressave nor resset within oure boundis ony persoun that is fugitive fra the law, or is expellit and put out of ony uther mennis boundis; and gif we or ony of us dois in the contrair, to incur the panis abonewrittin, and to be processit and puneist thairfoir, as we or ony of us resset thevis within our boundis. And mairattour, we ar content that this band be insert in the bukis of adjornall, and to haif the strenth of ane act thairof; and that for the saidis crymes of thift, reif, resset of thift, assistance, favouraris or partaking with thevis, and for the

entering of committaris of thift dwelland within oure boundis foirsaidis, thair be letters direct be deliverance of the Lordis of Counsall, to compeir befoir the Justice or his deputtis at generall justice airis or particular dyettis upoun xv dayis warning, at the instance of the Quenis Advocat or ony uther party complenand or havand interes. At Jedburgh, the xxvi day of Marche, the yeir of God $j^{m}v^{c}$ fifty ane yeris. Sic subscribitur: Bukcleuch knycht. Walter Ker of Cesfurd knycht. Johnne Ker of Fairnyhirst knycht. Dand Ker. Johnne Cranstoun of that Ilk. Thomas Turnbull of Badroule. George Ker of Lintoun. James Dowglas of Cavers knycht, with my hand at the pen. Nicoll Rutherfurde of Hundeley knycht. Thomas M^{c}Dowell of M^{c}Carstoun. David Turnbull of Wauchop. William Carnecroce of Colmislie. Johnne Carnecroce of Colmislie. Gilbert Ker of Greneheid. James Ormistoun of that Ilk. Hector Turnbull tutour of Mynto. Patrik Hume of Brumehous for the Lady Rutherfurde. Adam Kirktoun of Stewartoun. Robert Fraser of Overtoun with my hand at the pen. Williame Rutherfurde of Langnewtoun. Adame Scott of Burnfute. Williame Dowglas of Bonejedburgh. Johnne Hadden of that Ilk. Hector Turnbull of the Barnhillis. George Ker of Gaitschaw. David Anislie of Fawlay. Gawin Ellot of Horsliehill. George Turnbull of the Toure. Will Scott of Harden. Andro Ker broder to Cesfurde. Andro Dowglas of Timpindene; and all thir with thair handis at the pen led by the Justice Clerk.

[Edinburgh, 3d September.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Willelmus Dowglas de Quhittinghame. Advocatus.

Johnne Symontoun.

Anent oure Soverane Lordis letters rasit at the instance of Johnne Symontoun messinger, makand mentioun;—That quhair, at command of his Majesteis letters past be deliverance of the Lordis of Counsall and Sessioun, at the instance of Johnne Dow alias Stewart, apperand of Kildruan, Williame Stewart of Glenkill, Donald Bacach M^{c}ikkerane in Glenscoradill within the Yle of Arrane, and Maisteris David Borthuik of Lochill, and Robert Creichtoun of Elyoke, advocattis to our Soverane Lord, for his Majesteis interes, upoun the xviii day of Julii last bipast, the said Johnne Symountoun past to the Castell of Bredik in Arrane, quhair he wes suirlie informit the personis underwrittin wer remanand, and knoking at the yet thairof, and chargeing Robert Hammiltoun of the hous of Torrens, Johnne Galbrayth, Maister Gawin Hammiltoun persoun of Kilbryde, James Hammiltoun in Litter, Andro Hammiltoun in Knokane, and James Baillie, principall committaris of the fyre rasing and birning of the houssis pertening to the said Johnne Dow, Williame Stewart, Donald Bacach, and Johnne M^{c}Donill, within the said Yle of Arrane,—and als

Capitane of Arrane and utheris.

Archibald Hammiltoun Capitane of the said Castell of Bredik, Arthour Jaksoun, George Russell, Johnne Neisbit, Hewsone Allister M^{c}Ane V^{c}Dunnach, and Johnne Hammiltoun in the Corry,—complices to the foirsaidis principall committaris of the said birning, to find souirtie that thay sould compeir and underly the lawis for the saidis crymes befoir the

Justice and his Deputtis in the Tolbuith of Edinburgh, the penult day of October nix to cum, as the saidis letters at mair lenth beris. The personis foirsaidis, with thair complices abonewrittin, ischeit furth of the said Castell, and the said Robert Hammiltoun of the hous of Torrens, be the assistance and ratihabitioun of the remanent, come furth and chaissit the said Johnne Symontoun, officiar foirsaid, with a pistolet, and dischargeing the same at him, be Goddis providence it mist him, howbeit verie narrowlie; and the said Robert finding his wickit intent unfulfillit be that schot, he come upoun him with a drawin swerd, and purposing to have slane him he stoggit him be chance throw the oxtare, quhairthrow in the end thay bayth falling in uther grippis, the said Robert tuke his pistolet in his hand and thairwith straik the said Johnne upoun his bair heid, to the greit effusioun of his blude; be the quhilk straik he fell unto the ground and thair wes left for deid,—in the contemptioun of oure Soverane Lord and vilipensioun of his Majesteis lawis and letters, and gevand evill exempill to utheris to do the lyke gif this be sufferit to remane unpuneist. And anent the charge gevin to the saidis Robert Hammiltoun [list of names repeated], to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to have answerit to the complaint abonewrittin, and to have underlyne sic ordour and directioun as sould be thocht convenient to have bene appointit thairfoir, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The said Johnne Symountoun comperand personalie, and the foirsaidis personis chargeit as said is being oftymes callit and not comperand;—my Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, to denunce the saidis Robert Hammiltoun [list of names repeated], oure Soverane Lordis rebellis and to put thame to his Hienes horne, and to escheit and inbring all thair movabill gudis to his Majesteis use for thair contemptioun.

Anent the terme assignit to Thomas Williamesoun for preving of ane complaint maid be him upoun James Sandelandis eldar of Sanctmonanis, tuicheing the hurting and stryking of the said Thomas upoun the heid schulderis and divers utheris partis of his body, as at mair lenth is contenit in the principall letters rasit thairupoun. The said Thomas Williamsoun produceit our Soverane Lordis letrers dewlie execute and indorsat, upoun Andro Adesoun, George Frenche, and Williame Aysoun, servandis to the said James Sandelandis,—Johne Gudefallow, Johnne Scheves, Williame Moffet, David Towris, Robert Angell, Johnne Ker, Robert Kellie, Thomas Robertsoun, David Young, Johnne Smyth in Sanctandrois, Thomas Rekie thair, and George Narne thair,—chargeing thame to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have borne leill and Williamesoun. Sanctmonanis.

suithfast witnessing in safar as thay knew or sould have bene sperit at thame in the said mater, under the pane of rebellioun and putting of thame to the horne, as the saidis letters at mair lenth beris. Quhilkis being callit, and the saidis personis witnessis not comperand;—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, assignis to the said Thomas Williamsoun the last day of October nix to cum for doing of forder diligence, and in the menetyme continewis, etc. And ordanis letters to be direct, chargeing the saidis personis yit as of befoir, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale, the said last day of October nix to cum, to beir leill and suithfast witnessing, etc., under the pane of rebellioun, etc., with certificatioun, etc.; and als to warne the said James Sandelandis to compeir befoir his Grace and Lordis foirsaidis the saidis day and place, to heir and se the saidis witnessis ressavit, sworne, and admittit to depone in the said mater, with intimatioun as efferis.

[Dalkeyth, 18th September.] Proclamatioun for the raid of Jedburgh.

Forsamekill as the Regentis Grace being informit of greit stowth frequentlie committit be certane disorderit and wickit personis inhabiting the boundis ewest the Bordouris, and of sindry utheris crymes and enormiteis regning amangis thame, the impunitie quhairof makis thame to tak greittar bauldnes to offend, and attempt dalie greittar enormiteis; tending with tyme to the troubling of the publict peace and brek of the cuntre gif tymous remeid be not providit. Quhairfoir his Grace, be avise of the Lordis of Secreit Counsale, hes thocht convenient to hald a Justice Air in the burgh of Jedburgh for doing of justice to all our Soverane Lordis liegis and punisement of offendouris, quhilk, God willing, sall begin the tent day of November nixtocum, quhen it is neidfull that his Grace be weill and substantiouslie accumpaneit with a sufficient power of his Hienes obedient subjectis of the Incuntre. Thairfoir ordanis letters to be direct, commanding and chargeing all and sindry Erllis, Lordis, Baronis, Frehaldaris, and Landit men, alsweill dwelland in regalitie as ryaltie, within the boundis of the Sherefdomes of Linlythquow, Edinburgh Principall, and within the Constabularie of Hadingtoun, Berwik, Roxburgh, Selkirk, and Baillierie of Lauderdaill; that thay and every ane of thame weill bodin in weirlyke maner, with thair substantious freindis and houshaldis, providit and furneist for the space of ane moneth, convene and meit the Regentis Grace at Lawder the said tent day of November nixtocum, and thairfra pas furthwart and accumpany him in sic ordour as thay salbe directit and commandit during the said space of ane moneth following the said tent day of November, under the pane of tinsell of lyff, landis, and guidis.

[Holyrood House, 18th July.] Anent the myndis.

Forsamekill as it is understand to the Regentis Grace and Lordis of Secreit Counsale, that albeit the myndis within this realme, specialie of gold, pertenis to our Soverane Lord, and that all gold found and win within this realme aucht to be presentit to the Maister of his Hienes Cunyehous upoun the ordinar and accustumat pryces; nevirtheles, the findaris and

wynnaris of the said gold ceissis not to abstract the same and prevelie to sell it to marchandis and utheris that dalie transportis it out of the realme uncunyeit, in heich contemptioun of his Hienes and his authoritie, and to the defraude of the commoditie and patrimony of the Crown. For remeid quhairof, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of Edinburgh, Lanerk, Peblis, and to the myndis of Craufurdmure, Robertmure, Hinderland, and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie command and charge all and sindry his Hienes liegis, wynnaris and findaris of the said gold, that nane of thame tak upoun hand to abstract, sell, dispone, or put away ony of the said gold found or to be found be thame to quhatsumevir subjectis of this realme or strangearis, bot to present the haill to our Soverane Lordis Cunyehous, to be sauld to the Maister Cunyeour for the ordinar and accustumat pryces; and als that na maner of personis tak upoun hand, to by fra the wirkaris wynnaris and findaris of the said gold, ony part thairof, to quhatsumevir use and effect, in defraude of his Hienes and his said cunye, under the pane of confiscatioun of the gudis alsweill of the sellar as byar to oure Soverane Lordis use, and impresonment of thair personis at his Hienes will; of quhilkis gudis swa to be eschetit and confiscat the half salbe gevin and disponit to the persoun revelar—owther of the byar or sellar—for his laubouris.

[Abirdour, 27th August.] Egiptianis.

Forsamekill as it being understand to the Regentis Grace and Lordis of Prevy Counsale, that the commoun weill of this realme wes greitlie dampnifeit and harmit, throw certane vagabund, ydill, and countirfaitit people of divers nationis falslie namand thame selffis Egiptianis, and levand on stowth and sic uther unlauchfull meanys. Thairfoir be oppin proclamatioun past upoun ane Act and ordinance of the Prevy Counsale, of the dait at Haliruidhous the thrid day of Apryle, the yeir of God j^{m}v^{c}lxxiii yeris, all and sindry the saidis ydill vagabound and counterfaitit people calland thame selffis Egiptianis wer commandit and chargeit to depart furth of this realme, and na wyis to returne thairin of new, or ellis to settill thame selffis at certane dwelling places with maisteris,—gevand knawlege to the Magistrattis of the cuntre or heid burgh of the same be quhat honest men, craft, or industre thay dedicat thame selffis to leif by; betuix and a certane day of langtyme bigane; with certificatioun to thame that failyeit, thay sould be usit and demanyt thaireftir as thevis, and that it sould be lauchfull to tak and apprehend thame and convoy and entir thame in the publict presonis of the nixt burgh quhair thay wer ordanit, to be ressavit and kepit upoun thair awin expenssis during the space of aucht dayis; and at the end of the same, except thay fand cautioun to observe the said ordinance, to be scurgit throuchout the toun or parrochyn; and swa to be impresonit and scurgit fra parrochyn to parrochyn quhill thay be utterlie removit furth of the realm. Quhilkis Act and ordinance hes not onelie wantit executioun, bot als the saidis ydle vagaboundis hes

continewit in thair wickit and mischevous maner of leving, committing murthouris, thift, and abusing the sympill and ignorant people with sorcery and devinatioun, to the greit offence of God and contempt of our Soverane Lordis authoritie. Thairfoir ordanis letters to be direct to command and charge all and sindry Shereffis, Stewartis, Baillies, Provestis, Alderman and Baillies of Burrowis, Lordis of Regaliteis and thair Baillies, that thay and every ane of thame within thair awin boundis and jurisdictioun, serche and seik the saidis ydle vagabound and counterfaited people calland thame selffis Egiptianis, and present thame within the Tolbuith of Edinburgh, to suffer tryell and jugement for sic crymes and offenssis as thay ar delaitit and suspectit of, betuix the dait heirof and the fyftene day of October nix to cum, nochtwithstanding ony licence or privilege that thay can pretend, as the saidis officiaris will answer to oure Soverane Lord upoun thair obedience and diligence at thair uttirmest charge and perrell; certifeing thame quhilkis salbe found remysse and negligent heirin,—in caise ony of the saidis ydle and vagabound people may be provin to be permittit to wander and remane within ony of thair offices and jurisdictionis eftir the said day,—the saidis ordinar officiaris sa suffering and permitting thame, and not apprehending and presenting thame within the said Tolbuith of Edinburgh betuix and the said day, as said is,—thay salbe repute and haldin as favouraris and sustenaris of thevis and murtheraris, and callit and persewit thairfoir according to the generall band and the panis of the same execute upoun thame with all rigour in exempill of utheris.

[Holyrood House, 16th October.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Willelmus Dominus Ruthven Thesaurarius. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Marcus Commendatarius de Newbottill. Advocatus.

Baillies of Renfrew.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale, be the Baillies and Counsale of the Burgh of Renfrew, makand mentioun;—that quhair upoun the day of last bipast, eftir the slauchter of umquhile Philp Modirwell ane of the saidis Baillies, thay being cairfull of the keping of thair commoun buist, quhairin ar thair commoun seill and auld evidentis concerning the said Burgh, with ane consent thay deliverit the samyn in the handis and custody of Johnne Robesoun. Robesoun ane of thair nychtbouris, as ane to quhome thay lippynnit maist, to be suirlie kepit be him in his hous, being the starkest hous in the toun, to thair behuif, and to be randerit agane quhen thay had occasioun to call for it. And albeit thay haif requirit the said Johnne Robesoun to rander agane unto thame the said buist, with the seill and evidentis being thairintill, quhairby thay mycht use the same for the commoun weill of the said Burgh, and specialie for seilling of ane commissioun to be grantit be the saidis Baillies for electing of new Baillies at the last Michaelmes, as hes

bene accustumat in tymes bigane; nochtwithstanding aganis his fayth and promeis, being seduceit be the Lord Ross, he still detenis the said buist in his possessioun, and will not deliver the same agane to the saidis complenaris, without he be compellit. And anent the charge gevin to the said Johnne Robesoun to have randerit and deliverit agane to the saidis complenaris the said commoun buist in als gude stait as he ressavit the same, within xlviii houris nixt eftir the charge; or ellis to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and schawin ane ressonabill caus quhy he sould not haif done the same; with certificatioun to him, and he failyeit, letters sould be direct chargeing him simpliciter thairto, lyke as at mair lenth is contenit in the said complaint. The saidis Baillies and Counsale comperand be Johnne Colquhoun thair procuratour, and the said Johnne Robesoun comperand personalie with Alexander King his prelocutour; it wes allegeit in name of the said Johnne Robesoun that, befoir the charge gevin to him for randering of the said buist, he, at command of Nicoll Jaksoun Baillie, and utheris of the Counsale for the tyme, deliverit the samin buist, with the evidentis thairin contenit, to Williame Jaksoun notar, commoun clerk of the said Burgh, quha ressavit the same fra him. Quhairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis the said Johnne Robesoun to bring and produce the said buist, with the seill and evidentis thairin contenit, befoir his Grace and Lordis foirsaidis, at Haliruidhous, or quhair it sal happin thame to be for the tyme, upoun the xxiiii day of October instant, to the effect ordour may be takin thairwith as appertenis; or ellis to verifie his said allegeance be the said Nicoll Jaksoun Baillie, and Counsale being for the tyme, befoir his Grace and Lordis foirsaidis the samyn day; with certificatioun to him and he failye letters salbe direct simpliciter, in maner abone mentionat.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Joannes Dominus Maxwell. Joannes Dominus Hereis. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Advocatus. [Holyrood House, 25th October.]

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Council comperit Johnne Knox burges of Renfrew, and produceit the commoun seill of the samyn, conforme to ane Act and ordinance maid thairanent of befoir. Quhilk seill wes agane deliverit in the handis and keping of Alexander Hay, director of chancellarie, to remane with him ay and quhill ordour be tane be my Lord Regentis Grace, with avise of the saidis Lordis, anent the variance and contraversy standing amangis the inhabitantis of the said burgh, tuicheing the electioun of publict officiaris within the samyn; upoun the productioun of the quhilk seill and satisfactioun thairthrow of the said Act and ordinance, the said Johnne Knox askit act and instrument. Johnne Knox produceit the seill of Renfrew.

[Holyrood House, 26th October.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Comes de Buchane. Joannes Dominus Maxwell. Joannes Dominus Hereis. Jacobus Episcopus Glasguensis. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Commendatarius de Culros. Marcus Commendatarius de Newbottill. Advocatus.

Johnne Scott. Anent oure Soverane Lordis letters rasit at the instance of Johnne Scott minister at Selkirk, makand mentioun;—That quhair he and his predecessouris hes bene native and kyndlie tenentis of the half toun and landis of Elistoun, with the pertinentis, liand within the lordschip of Melros and Sherefdome of Roxburgh, in the tymes bigane past memor of man, be vertew of rentallis maid thairupoun. And according thairto the said Johnne Scott and his predecessouris wes in possessioun thariof during the said space, lyke as he is yit; and becaus James sumtyme Erll Bothuile tuke ane few of ane greit part of the said lordschip of Melros land, the said Johnne Scott thairfoir for his awin securitie tuke few of the saidis half toun and landis to him and his airis; and becaus umquhile Thomas Scott of Hanyng obtenit ane presentatioun, direct to the Abbot of Melros for the tyme and Convent thairof, for ressaving of him, in heretabill few, tenent of the toun and landis foirsaidis, in place of the said umquhile James sumtyme Erll Bothuile, and swa obtenit infeftment thairof; and hes laubourit sensyne to haif our Soverane Lordis confirmatioun thairupoun;

Robert Scott. and thairthrow Robert Scott his sone and apperand air is myndit to disposses the said Johnne Scott of the saidis half toun and landis; he thairfoir in the moneth of Julii last bipast menit him to my Lord Regentis Grace and Lordis of Secreit Counsale, and obtenit thair deliverance, ordaning the Lordis appointit for confirmatioun of fewis, to stay all passing of confirmatioun upoun the said infeftment of fewferme obtenit be the said umquhile Thomas Scott, ay and quhill his Grace and Lordis of Secreit Counsale had tane tryell and ordour in that mater as appertenit, and siclyke ordaning the keparis of the Signet, Prevy and Greit Seillis, on na wayis to pas the said confirmatioun throw the saidis seillis unto the tyme the saidis Lordis appointit for confirmatioun of the fewis had tane the said ordour, as said is, as the said deliverance at mair lenth proportis. And it is of veritie that as yit thair is na tryell nor ordour tane in the said mater; and nochttheles the said Robert Scott is presentlie doand utter diligence to haif the said confirmatioun throw the saidis seillis, expres contrair the tennour of the Actis maid in favouris of the auld possessouris of kirklandis. And anent the charge gevin to the said Robert Scott, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale, at ane certain day bepast, to have hard and sene the said John Scottis tittilis of the half toun and landis abonewritten with the pertinentis, producit upon his Grace and Lordis foirsaidis, to the effect ordour mycht haif bene tane heiranent as appertenit, lyke as at mair lenth is contenit in the saidis letters. The said Johnne Scott comperand personalie, with Maister Henry M^{c}Calyeane his prelocutour, and the said Robert Scott being

alsua personalie present with Maister Henry Kinross his prelocutour, the said Johnne Scott produceit certane rychtis and titillis maid to him of the saidis half toun and landis. Quhilkis, with diverse the ressonis and allegationis of bayth the saidis partiis, being hard, sene, and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith;—my Lord Regentis Grace and Lordis foirsaidis, findis na caus quhy the said confirmatioun maid upoun the infeftment past to the said umqhile Thomas Scott sould be langar stoppit and delayit, and thairfoir ordanis the keparis of the Thesauraris Register, Signet, Prevy and Greit Seillis, to pas the said confirmatioun throw the saidis Register and seillis in dew forme as efferis, nochtwithstanding ony command gevand to thame of befoir in the contrair, thay or ony of thame kepand thir presentis for thair warrand.

Sederunt—Domini ut in die predicto.

[Holyrood House, 29th October.] Renfrew.

Forsamekill as it is understand to the Regentis Grace and Lordis of Secreit Counsale, that this present yeir, about the tyme of the electioun of officiaris of burrowis, thair hes fallin out greit abuse and disordour within the burgh of Renfrew, throw the chesing of dowbill baillies, court clerkis, and officiaris, of twa sindry factionis within the same burgh, quhilkis ar sterit up be certane personis pretendand sum privilegis in the electioun of personis to the saidis publict offices, quhairupoun alsua greittar inconvenient is liklie to follow gif remeid be not tymouslie providit. Quhairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale,—willing to leif na thing undone for removing of the said contraversy, and perfyting and appointing of sum gude ordour for continewing of concord and establissing of justice to the inhabitantis of the said burgh in tyme cuming,—ordanis thairfoir letters to be direct, chargeing the personis underwrittin,—thay ar to say, Nicoll Jaksoun, Andro Modirwell, Johnne Gilcresoun, Williame Modirwell sone to Alexander Modirwell, Patrik Jaksoun, Niniane Patersoun, James Boyd, Johnne Houstoun, George Robesoun, Williame Ogilloch, Johnne Robesoun, Adam Knox, Adam Hall of Foulbar, Williame Marschell, Robert Knox, Oliver Sinclair, Robert Ross, and Andro Knok,—to compeir personalie befoir his Grace and Lordis foirsaidis at Haliruidhous, or quhair it sal happin thame to be for the tyme, the day of nixtocum, to heir and se sic ordour tane anent the chesing of personis to beir offices within the said burgh for this instant yeir of God j^{m}v^{c}lxxvi yeris, as salbe thocht maist meit and expedient; and to underly sic directioun as salbe gevin to thame in that behalf, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, the said day being bipast, letters salbe direct simpliciter to put thame to the horne, and to escheit, etc.; and in the menetyme to command and charge the present Baillies and utheris officiaris quhatsumevir within the said burgh, to desist and ceise fra all using or executing of the saidis offices, or taking of the name or authoritie thairof upoun thame, quhill the said day, dischargeing thame thairof and of thair offices in that part.

[Holyrood House, 30th October.]

Sederunt—Domini ut in die predicto.

Carmichaell of Medoflatt.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne Carmichaell of Medoflatt, makand mentioun.—That quhair upoun proclamatioun of bandis for mariage to be completit betuix him and Elizabeth Scott his spous, thay beand fre personis, thair mariage wes solempnizat in the moneth of Apryle last bipast, conforme to the ordour of the Kirk; yit, be quhat occasioun he knawis not, Maister Williame Levingstoun, thair minister,—allegeand him to have command of the Bischop and Commissionar within the diocie of Glasgow to admoneis the said Johnne Carmichaell to abstene fra his said spous, under the pane of excommunicatioun—quha myndis to proceid thairto. For remeid quhairof, he presentit himself to the present Generall Assemble, desyrand the said command to be dischargeit, in respect of his said mariage standand unreduceit or dischargeit null, be the Juge Ordinar. Nochttheles, Maister Johnne Craig, Moderator, opponit in the contrair, allegeand the Kirk to have maid ane generall Act and ordinance against all personis allegeit adulteraris; quhairby thay haif ordanit the said Johnne Carmichaell to abstene fra his said spous, ay and quhill it be decernit and tryit quhidder thair mariage be lauchfull or not, under the pane of excommunicatioun. Quhilk ordinance is and mon be repugnant to the law of God, in sa far as thay are mareit, conforme to the ordour of the Kirk, with all solempniteis requirit thairto; swa of the law, it is presumit to be lauchfull and neidis na forder declaratour; and gevand it wer not lauchfull, yit the said admonitioun is evill usit aganis the said Johnne, befoir cognitioun be tane thairanent, quhilk is not yit done. And attour, gevand thay have ony sic Act, that Act is bot prevat, na publicatioun being maid thairof, nor yit authorizit be Parliament as it aucht to be befoir it tak effect; and thairfoir is null with the said executioun following thairupoun. Nocht the les thay will not faill to proceid to the said excommunicatioun, aganis all ressoun, without remeid be providit. And anent the charge gevin to James Bischope of Glasgow, Maister Johnne Craig, and Maister Andro Hay, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, bringand with thame the said command of excommunicatioun, togidder with the Act quhairupoun the samyn procedit, to the effect that thay mycht understand the trewth of the said mater, and thairefter tak ordour thairin as appertenit,—lyke as at mair lenth is contenit in the said complaint. The said Johnne Carmichaell comperand personalie, with Maister Henry Balfour his prolocutour, and the saidis James Bischop of Glasgow, Maister Johnne Craig, and Maister Andro Hay being alsua personalie present. The said Maister Andro wes requirit to produce the said Act quhairupoun the said command of excommunicatioun gevin be him procedit, and he refusand, allegeand the same not yit to be extractit furth of the bukis of the Generall Assemble of the Kirk;—my Lord Regentis Grace thairfoir, with avise of the saidis Lordis, suspendis the executioun of the said Act and command following thairupoun in tyme cuming upoun

Bishop of Glasgow.

the said Johnne, ay and quhill the samyn be produceit befoir his Grace and Lordis foirsaidis, and that the said Johnne be warnit to the productioun thairof as efferis.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Maxwell. Laurencius Dominus Oliphant. Joannes Dominus Hereis. Jacobus Episcopus Glasguensis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Robertus Commendatarius de Deir. Advocatus. [Holyrood House, 31st October.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Maister Robert Hammiltoun Provest and the remanent Maisteris of the New College of the Universitie of Sanctandrois, makand mentioun;—that quhair letters wer direct be the said Lord Regentis Grace and Lordis foirsaidis, purchest at the instance and solistatioun of Maister Williame Walwod, quhairby thay wer chargeit to proceid to the ressaving and admissioun of the said Maister Williame to the thrid place within the said New College, according to the presentatioun and recommendatioun of the said Lord Regentis Grace, within ten dayis nixt eftir the charge, under the pane of rebellioun, and failyeing thairof, to put thame to the horne. And as thay ar informit the said Maister Williame intendis of verie malice to caus put thame thairto wranguslie; howbeit, in veritie the saidis letters ar expreslie direct aganis all ordour without ony sufficient cognitioun or tryell in the caus: berand that Johnne Lord Glammis Chancellare had ressavit ane testimoniall of certane leirnit men anent the qualificatioun of the said Maister Williame, and thairupoun the saidis letters ar procedit be the said Lord Regentis Grace and Lordis foirsaidis, quha on na wayis ar nor may be jugeis competent in the said caus, concerning the admissioun of ony persoun to ane office or functioun within ony Universitie, quhairof the dispositioun or presentatioun na wayis can pertene to his said Grace and Lordis foirsaidis; it being notourlie knawin that all sic Universiteis be thair erectioun and foundatioun hes speciall provisioun and ordour anent the dispositioun of the offices quhen thay sal happin to vaik, quhilk aucht and sould be observit and kepit; and thairthrow my Lord Regentis Grace and Lordis foirsaidis can haif na jurisdictioun in that cais. And in sa far as letters ar direct thairupoun de facto et non de jure, the saidis Provest and Maisteris ar wranguslie chargeit thairwith, and the saidis letters ar maist inordourlie procedit aganis thame, specialie sen also it is of veritie that the expres foundatioun of the said College beris that quhen the place foirsaidis vaikis, that thair salbe ane qualifiit persoun chosin and electit thairto be sevin men of dignitie and office specialie nominat in the said foundatioun,—viz., the Rector of the said Universitie, the Officiall, the Archdene of Sanctandrois, the Provest of Sanct Salvatouris College, the Superior of the Abbay, the Provinciall of the Blak Freris, and in his absens the Pryour thairof, with the Minister of the Gray Freris of Sanctandrois, and in his absens the Warden thairof,—to quhome the presentatioun and nominatioun of ony persoun to the said office, or ony uther vakand Maisteris of the New College.

of the said College, dois expreslie appertene be the said foundatioun, as the samyn proportis. And thairfoir, sa far as the Lord Regentis and Lordis of Secreit Counsale or ony uther persoun, wald mak dirogatioun to the said foundatioun, being ratifiit and apprevit as said is, and havand validitie and strenth in the self, the saidis letters direct be his Grace and Lordis foirsaidis aucht and sould be decernit to have bene inordourlie procedit, and sould haif na executioun specialie contrair the saidis Provest and Maisteris, thay being sworne to observe and keip thair privilege and foundatioun, and swa can not contravene the samyn; lyke as alsua thay ar willing to that effect to observe and keip the samyn for thair partis, and to direct and affix ane edict for admissioun of ony persoun being maist qualifiit to the said place, and to execute and fulfill the will of thair foundatour in that point upoun thair conscience, quhairby it salbe knawin manifestlie that thay seik onelie the avancement of thair College be promotioun of sic persoun as may exoner him self anent his office and charge, according to the said foundatioun, with reformatioun thaireftir following; quhilk aucht not to haif past be ony testimoniall of prevy personis, bot be the conscience and declaratioun of sic personis nominat in the said foundatioun; sen utherwayis all erectionis and foundationis of Universiteis salbe subvertit. And gif thay had bene callit, as thay wer not, at the tyme quhen the saidis letters wer direct aganis thame, thay mycht and wald have allegeit the ressonis foirsaidis, and the samyn had bene sufficient to have stoppit the saidis letters to have bene gevin aganis thame; speciallie sen alsua the said allegeit presentatioun and recommendatioun wes nevir direct to ony of thame, and specialie to the said Maister Robert as Provest of the said College, nor to Maister Williame Skene and the remanent Maisteris of the said College. And swa in caise the samyn had ordourlie procedit, as it did not, thay can not be haldin as contravenaris thairof, and consequentlie can not for ony allegeit dissobedience be put to the horne, thay nevir being chargeit to obey; lyke as alsua the said recommendatioun is maist inordourlie direct, to utheris personis nor is contenit in the said foundatioun, specialie to the Bischop of Caithnes and Maister James Wilky, and is on na wayis direct to thame quhome the foundatioun beris; and thairfoir the saidis letters and chargeis following thairupoun ar maist wranguslie procedit aganis the saidis complenaris, and auct and sould be simpliciter suspendit in tyme cuming. And anent the charge gevin to the said Maister Williame Walwod to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand with him the saidis letters of horning, to have bene sene and considerit, and to haif hard and sene the samyn and horning contenit thairin, decernit to have procedit wranguslie and inordourlie aganis the saidis complenaris, with all that followit or may follow thairupoun, lyke as at mair lenth is contenit in the said complaint. The saidis Maister Robert Hammiltoun and Maister Williame Skene comperand bayth personalie, and the said Maister Williame Walwod being alsua personalie present with Maister Johnne Russell his prelocutour. The ressonis and

allegationis of bayth the saidis partiis, with the said foundatioun, being hard sene and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith; my Lord Regentis Grace and Lordis foirsaidis findis the saidis letters purchest be the said Maister Williame Walwod, for ressaving and admitting of him to the said thrid place, to be dewlie and ordourlie procedit; and thairfoir ordanis ane officiar of armes to pas and put thame to forder executioun in all poyntis, conforme to the tennour thairof, as thay will answer upoun the executioun of thair offices, without prejudice to the saidis Provest and remanent Maisteris of the said College, to proceid to the placeing and admissioun of personis to the places that sal happin to vaik within the said College in tyme cuming, according to the tennour of the foundatioun.

[Edinburgh, 1st November.] Charge upoun Cultemalinde.

Forsamekill as upoun the occasioun of divers complaints made to my Lord Regentis Grace and Lordis of Secreit Counsale, upoun Laurence Bruce of Cultemalindies, anent certane wrangis and oppressionis committit be him upoun sindry inhabitantis of the cuntreis of Orknay and Zeitland, his Grace, be avise of the saidis Lordis, hes thocht gude that the haill particular complaintis and crymes be ressavit and hard be sum personis to be direct in the saidis partis, and be thame reportit agane to his Grace and the saidis Lordis, that thaireftir ordour may be takin to the satisfactioun of the personis offendit unto, and establissing of a gude and perfyte ordour for the weill and quietnes of the cuntre in tyme cuming; and to the effect that all occasionis of staying of his Graces gude mynd and intentioun may be removit in the menetyme, his Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Laurence be ane officiar of armes, that he remane on this syde of the watter of Tay, and on na wayis transcend the saidis boundis, nor pas to the saidis cuntreis of Orknay and Zeitland, in tyme cuming, quhill the said ordour be tane, and that he obtene speciall licence of the Regentis Grace to that effect, under the pane of rebellioun and putting of him to the horne, and gif he failyeis thairintill, to denunce him rebell and put him to the horne, and to escheit, etc.

[Edinburgh, 2d November.]

Sederunt—Robertus Dominus Boyd. Georgius Dominus Seytoun. Hugo Dominus Somervile. Joannes Dominus Hereis. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Advocatus.

Alexander Urquhart. Bischop of Ross.

Anent oure Soverane Lordis letters direct, makand mentioun;—that forsamekill as Alexander Urquhart being presentit be letters under the Prevy Seill to the benefice of the Denerie of Ross lauchfullie vacand, Alexander Bischop of Ross wes requirit be the same letters to try his habilitie, and being fund qualifiit, to admit him to the said Denery according to the ordour ressavit in sic caissis. And albeit according thairto, the said Bischop hes tryit and examinat the said Alexander Urquhart, and found him of sound doctrine and sufficientlie qualifiit for the said Denery, nevirtheles he partialie and wilfullie postponis and differis to gif the said Alexander Urquhart colla-

tioun and admissioun, in contempt of oure Soverane Lord and his authoritie. And anent the charge gevin to the said Alexander Bischop of Ross to have ressavit and admittit the said Alexander Urquhart to the said benefice of the Denery of Ross, according to the presentatioun and tryell takin, as said is, within xv dayis nixteftir the said charge, or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun the samyn xv dayis eftir the said charge, being this day, and schawin ane ressonabill caus quhy the samyn sould not have bene done; with certificatioun to him and he failyeit, utheris letters sould be direct to charge him simpliciter thairto, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The said Alexander Urquhart comperand personalie, and the said Alexander Bischop of Ross being oftymes callit and not comperand, the Lordis of Secreit Counsale ordanis letters to be direct, chargeing the said Bischop to ressave and admit the said Alexander Urquhart to the said benefice of the Deniry of Ross, according to the said presentatioun and tryell takin as said is, within utheris xv dayis nixt eftir the said charge, under the pane of rebellioun, etc.; and gif he failyeis thairin, the saidis xv dayis being bipast, tò denunce, etc., and to escheit, etc.

[Edinburgh, 8th November.]

Sederunt—Jacobus Dominus Boyd. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Magister Willelmus Baillie Dominus Provand. Advocatus.

Murray.

Anent oure Soverane Lordis letters, rasit at the instance of Andro Murray, makand mentioun.—That quhair Alexander Dunbar, Commendatare of the Pryorie of Pluscardin, actit himself his airis executouris and assignayis, in the Commissaris bukis of Elgin, to content and pay to the Regentis Grace the sowme of aucht scoir merkis money of this realme, for ejectioun of the said umquhile Andro furth of the landis of Urquhart, liand within the regalitie of Pluscardin and sherefdome of Elgin and Fores, as the Act maid thairupoun at mair lenth beris. And it is of veritie that the bukis quhairintill the said Act is insert, is in the handis of Sir Johnne Gibsoun, Persoun of Unthank; and albeit the said Regentis Grace hes disponit the gift of the samyn to the said Andro and remanent his brethrene, as alsua hes directit twa sindry chargeis to the said Sir Johnne, to extract drawfurth and deliver the said Act to the said Andro, upoun his ressonabill expenssis, nochttheles he on na wayis wald do the same without he be compellit. And anent the charge gevin to the said Sir Johnne Gibsoun, to have extractit drawin furth and deliverit to the said Andro Murray, the foirsaidis Actis instrumentis and remanent titillis foirsaidis, in dew and competent forme as the same wes takin, within thre dayis nixt eftir the charge, under the pane of rebellioun, etc.; or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and schawin ane ressonabill caus quhy he sould not do the samyn; with certificatioun to him and he failyeit, letters sould be direct chargeing him

Gibsoun.

simpliciter thairto, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The said Andro Murray comperand personalie, and the said Sir Johnne Gibsoun being oftymes callit and not comperand. The Lordis of Secreit Counsale ordanis letters to be direct, chargeing the said Sir Johnne Gibsoun yit as of befoir, to extract, draw furth and deliver to the said Andro Murray, the foirsaidis Actis instrumentis and remanent titillis foirsaidis, in dew and competent forme as the same wes takin, within thre dayis nixt eftir the charge, under the pane of rebellioun, etc., and gif he failyeis, to denunce and to escheit, etc.

Guthre of that Ilk.

Anent oure Soverane Lordis letters, rasit at the instance of Alexander Guthre of that Ilk, makand mentioun.—That quhair be Act of Parliament maid in the first yeir of oure Soverane Lordis regnne, it is statute and ordanit, that all patronis havand Provestriis, or Prebendariis, of Collegis, Alterages, or Chapellaneriis, at thair giftis and dispositionis, may in all tyme cuming at thair pleasour present the same to bursaris quhome thay pleis to name, to study vertew and letters within ane College in ony Universitie of our realme, thair to remane for sic space as the patroun pleis to hald him at vertew and leirning within the foirsaid College,—swa that the patronis may dispone thair Provestriis and Prebendariis to sic bursaris as thay sall think expedient als oft as neid beis, quhilk salbe na hurt or prejudice to thair patronage, as the said Act of Parliament at mair lenth proportis. And albeit the said Alexander Guthre, according thairto, havand the Provestrie and Prebendariis of the College Kirk of Guthre at his presentatioun, hes lauchfullie nominat and presentit Gabriell Guthre his sone to the Provestrie of Guthre, and Andro Guthre, ane uther of his sonnis, to the Prebendarie of the said College, callit Hiltoun and Langlandis, now vacand, and hes requirit collatioun ordinar thairupoun of Johnne Erskin of Dun, Superintendent of Angus. Quhilkis personis, albeit the said Superintendent grantit to be qualifeit, yit he hes refusit to gif thame provisioun and admissioun, allege- and thair wes ane ordinance maid at Leyth in the contrair, quhilk the said Superintendent and utheris had subscrivit in thair generall conventioun, as auttentik instrumentis takin thairupoun beris; and swa the said Alexander Guthre, patroun foirsaid, and the saidis Gabriell and Andro presentit be him to the saidis Provestrie and Prebendarie, ar enormelie hurt be the refuise and delay of the said Superintendent, expres aganis the meaning and effect of the said Act of Parliament, quhilk can not be derogat be ony prevat constitutioun as is the said pretendit ordinance maid at Leyth, quhilk is nayther constitute be the Estaittis as a law, nor yit is it ressavit be the ministerie universalie, bot oppugnit and callit in doubt be thame selffis in divers the maist substanciall pointis of the same. And anent the charge gevin to the said Johnne Erskin of Dun, Superintendent of Angus, to have ressavit and admittit the saidis Gabriell and Andro Guthreis to the saidis Provestrie and Prebendarie, and to gif thame collatioun thairupoun in competent and dew forme within sex dayis nixteftir the said charge; or ellis that he upoun the samyn sex day compeir befoir my Lord Regentis

Grace and Lordis of Secreit Counsale, and schaw ane ressonabill caus quhy the samyn sould not be done; with certificatioun to him and he failyeit, his Grace and Counsale wald owther decerne him to gif the said collatioun and admissioun, or than declair it lauchfull to the said Alexander to gif and dispone the saidis Provestrie and Prebendarie pleno jure, and declair the same als lauchfull, as collatioun ordinar had followit upoun his presentatioun; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. The said Alexander Guthre comperand personalie, and the said Johnne Erskin of Dun being oftymes callit and not comperand, the Lordis of Secreit Counsale ordanis letters to be direct, chargeing the said Alexander Erskin yit as of befoir, to ressave and ordane the saidis Gabriell and Andro Guthreis to the saidis Provestrie and Prebendarie, and to gif thame collatioun thairupoun in competent and dew forme within sex dayis eftir the charge, under the pane of rebellioun, etc.; and gif he failyeis thairin, the saidis sex dayis being bipast, to denunce and to escheit, etc.

[Jedburgh, 12th November.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Andreas Dominus Rothes. Willelmus Dominus Ruthven Thesaurarius. Marcus Commendatarius de Newbottill.

Malcolme Stewart.

Anent oure Soverane Lordis letters, rasit at the instance of Malcolme Stewart in Boghall and Margaret Park his spous, makand mentioun.—That quhair Hew Montgomery of Giffene, with his servandis and complices to the nowmer of xxiiii personis or thairby, all bodin in feir of weir, upoun the xxii day of August last bipast, under silence of nycht, come to the saidis complenaris landis in Boghall, and, not onelie maisterfullie and be way of deid reft thair haill insicht, with utheris thair movabill gudis being thairupoun, bot als persewit and chaissit the said Malcolme for his bodelie harme and slauchter, and als cruellie straik and hurt the said Margaret in divers partis of hir body, sched hir blude in greit quantitie and left hir for deid, lyke as schō yit remanis in greit dangeare of hir lyff; and attour, ejectit thame furth of thair saidis landis, quhilk thay have broukit be rentall of the Abbot of Kilwynning be the space of xxi yeris bigane, and hes payit thair males and dewiteis thairfoir thankfullie; committand heirthrow not onelie oppin and manifest oppressioun, bot als hame-suckin and convocatioun of our Soverane Lordis liegis in weirlyke maner, with daggis and pistolettis, contrair the Actis of Parliement and Secreit Counsale maid thairanent, in hie contemptioun of our Soverane Lordis authoritie and lawis, and to the evill exempill of utheris to do the lyke gif this be sufferit to remane unpuneist. And anent the charge gevin to the said Hew Montgomery to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the said complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof.

Giffene.

The saidis Malcolme Stewart and Margaret Park comperand bayth personalie, and the said Hew Montgomery being oftymes callit and not comperand;—my Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to denunce the said Hew our Soverane Lordis rebell, and to put him to the horne, and to escheit, etc.

That nane persew uther during the air of Jedburgh.

Forsamekill as my Lord Regentis Grace is reparit hither for administratioun of justice and punisement of offendouris, to the satisfactioun of the puyr oppressit subjectis and establissing of gude ordour and quietnes in the cuntre in tyme cuming; and to the effect that all occasioun of hinder of his Graces gude mynd and intentioun may be removit in the menetyme, ordanis ane herauld or uther officiar of armes, to pas to the marcat croce of Jedburgh and utheris places neidfull, and thair, be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindry his Majesteis liegis, that nane of thame tak upoun hand to invade or persew uther be way of deid, owther for auld feid or new, in thair cuming to this toun, remaning thairin, or departing thairfra, during the tyme of this present air; or mak provocatioun of troubill to utheris, in word deid or countenance, under the pane of tressoun. And siclike to warne all our Soverane Lordis liegis quhilkis hes neid of his Majesteis pardoun for thair bigane crymes and offenssis, that thay gif in thair desyris to my Lordis compositouris quhilkis ar appointit to sit in my Lord Thesauraris ludgeing within this burgh, quhilkis hes commissioun to compone with thame. Certifeing thame that comperis not at the day appointit to thame, thay sall not be ressavit on pannell thaireftir, bot be unlawit and usit as fugitives according to the lawis; and that all men prepair thame selffis to haif dynit dalie be ten houris afoir none, to the effect that thaireftir thay may await on the Tolbuith and utherwayis as occasioun of service sall require.

Sederunt—Domini ut in die predicto.

[Jedburgh, 13th November.] Proclamatioun anent the dyettis of the air of Jedburgh.

Forsamekill as the Regentis Grace, accumpaneit with certane of the nobilitie, is cum to this cuntre for administratioun of justice; and to the effect that the cuntre men arreistit to this present Justice air may in dew tyme gif in thair desyris for the componitouris, and certanelie knaw at quhat day to be pannellit; that thay sall not neid to mak continewall attendance, his Grace with avise of the Counsale hes dividit the cuntre in the ordour following. And thairfoir ordanis ane officer of armes to pas to the marcat croce of the burgh of Jedburgh, and thair be oppin proclamatioun to mak publicatioun heirof, and to command and charge all and sindry personis quhilkis ar arreistit to this present justice air, that thay compeir and await upoun thair calling at the dayis particularlie eftir specifiit, and that thay gif in thair desyris for thair componitouris afoir hand, that thay haif na delay to entir at the dayis particularlie appointit to thame. Certifeing thame that failyeis, the Justice will proceid, and quha evir beis unlawit, the panis and unlawis salbe takin up indilaitlie and the proces of horning execute upoun the dissobedientis, or quhair the cryme deservis

not present horning, thay salbe callit to a particular dyett to Edinburgh and puneist with all rigour in exempill of utheris.

Weddnusday the xiiii day of November, the Regalitie of Jedburgh Forest.

Fryday the xvi day, the Regalitie of Kelso.

Settirday the xvii day, the Regalitie of Melros.

Mononday and Twysday the xix and xx dayis of November, the Parrochynnis of Mow, Yettame, Morbottill, Lyntoun, Hownum, Ekfurde, Maxwell.

Weddnusday the xxi day of November, Ednem, Maccarestoun, Smalhame, Auld Roxburgh, Maxtoun, Lang Newtoun.

Fuirsday the xxii day of November, Oxnem, Craling, Nysbett, Jedburgh parrochyn.

Fryday the xxiii day of November, Hopkirk, Bedroule, Abbotroull, Spittalroull.

Settirday the xxiiii day of November, Mynto, Ancrum, Lillisleif.

Mononday and Twysday the xxvi and xxvii dayis of November, Hawik, Hassinden, Caveris, Kirktoun, Weltoun, Askirk.

Weddnusday the xxviii day of November, Liddisdaill.

Fuirsday the xxix day of November, the burgh of Jedburgh.

To restoir the gudis agane takin at the Reid Swyr.

Forsamekill as all and sindry oure Soverane Lordis liegis, quhilkis tuke and intromettit with ony maner of Englische gudis at the unfortunate accident quhilk happynnit at the Reid Swyre upoun the vii day of Julii, the yeir of God j^{m}v^{c}lxxv yeris, be sindry chargeis and proclamationis hes bene commandit to bring and present the saidis gudis to the burgh of Jedburgh, for redres and satisfactioun of the partiis skaythit and interessit, quhilk contempnandlie sindry personis hes yit dissobeyit. Thairfoir the Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis ane officiar of armes to pas to the marcat croces of Jedburgh, Hawik, Selkirk, and utheris places neidfull; and thair be oppin proclamatioun, in our Soverane Lordis name and authoritie, command and charge all and sindry his Hienes liegis quhilkis hes ony of the saidis Englishe gudis takin at the said Reid Swyre in thair handis, or had the samyn and hes not maid redres and restitutioun thairof, that thay bring and present the same gudis, or the avale thairof, to the kirkyard of Jedburgh, upoun the twenty day of November instant, to the effect that the same may be deliverit in the presence of Johnne Carmichaell younger of that Ilk, for the satisfactioun of the partiis skaythit and interessit; with certificatioun to all and sindry personis that concelis or withdrawis ony part of the saidis Englishe gudis un-presentit and deliverit at the saidis day and place, in caise the samyn salbe tryit at ony tyme heireftir, thay salbe accusit and puneist thairfoir as gif the saidis gudis had bene stollin; and for that caus salbe persewit owther in this present justice air or at particular dyettis as salbe thocht maist expedient.

[Jedburgh, 16th November.]

Sederunt—Ut in die predicto.

Anent oure Soverane Lordis letters rasit at the instance of George Gray in

Galtounsyde, Johnne Bowstoun thair, and Johnne Carter in Moshoussis, and remanent tenentis and fermoraris of the townis of Galtounsyde and Moshoussis, within the lordschip of Melrose, makand mentioun.—That quhair thay ar thre scoir houshaldaris quhilkis hes thair malingis for yeirlie payment of certane fermis, viz.: fyftene chalderis victuale, quhairof fourtene chalderis beir and ane chalder meill; and thair wes payit be thame of befoir twa chalderis mair of beir, quhilkis wes defalkit to thame be certane commissionaris depute be our Soverane Lordis moder, in consideratioun that it wes than schawin that the watter of Tweid had rissin thir mony yeris bigane, and had owerrun ane greit part of thair malingis to the quantitie of sextene scoir akeris of land or thairby, as in ane decreit, and the saidis complenaris supplicatioun and commissioun quhairupoun the samyn procedit, at mair lenth is contenit. And it is of veritie that thay obtenit thair saidis stedingis in few, and the saidis twa chalderis is deduceit to thame in thair infeftmentis. Nochttheles Alexander Balfour of Dene Mylne hes callit thame befoir the Baillies of the Regalitie of Melros for payment to him of the saidis haill auld fermis but deductioun of ony part thairof, and on na wayis will allow to thame the saidis twa chalderis of beir deduceit for the caus abonewrittin, bot intendis to use all extremitie without remeid be providit. And anent the charge gevin to the said Alexander Balfour, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the said complaint, under the pane of rebellioun, etc.; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The saidis George Gray, Johnne Bowstoun, and Johnne Carter, comperand personalie for thame selffis and in name of the remanent tenentis and fermoraris abonewrittin, and the said Alexander Balfour being oftymes callit and not comperand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to denunce the said Alexander Balfour our Soverane Lordis rebell, etc., and to escheit, etc.

Tenentis of Galtounsyde.

Alexander Balfour.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Andreas Comes de Rothes. Willelmus Dominus Ruthven Thesaurarius. Willelmus Dowglas de Quhittinghame. [Jedburgh, 5th December.]

Forsamekill as—upoun complaint maid be Johnne Lord Hereis Wardane of the West Marches of this realme for the tyme, proportand; that not onelie the commonis and Yemen men within the said Wardanrie, bot alsua the Baronis and Landit men, wer cum in ane plane use of dissobedience and of absenting thameselffis to accumpany the said Wardane at dayis of Trew, —letters wer direct upoun ane Act and ordinance maid be the Quene our Soverane Lordis moder, with avise of the Lordis of Secreit Counsale for the tyme, chargeing all and sindry Erllis, Lordis, Baronis, Frehaldaris, Gentilmen and substentious Yemen men, dwelland within the boundis of

Proclamatioun anent the West Wardanrie.

the said Wardanrie, that thay and ilkane of thame, without exceptioun, sould meit and convoy the said Wardane to all dayis of Trew, or uther tryistis or conventionis quhilk he sould appoint, owther be oppin proclamatioun, wardane, officiar, or missive writtingis, for keping and conservatioun of the cuntre in peace and quietnes, and stancheing of thift, under the panis following; that is to say, ilk Barroun ten pundis, ilk Landit man fyve pundis, and ilk substantious Yeman man under the pane of fifty schillingis, to be tane up for ilk falt be that persoun quhome the said Quene sould appoint, to be suirlie kepit in box to be disponit to the utilitie of the commoun service, at command of the said Quene and Counsale, as at mair lenth is contenit in the said Act, of the dait the xii day of December, the yeir of God j^{m}v^{c}lxiiii yeris.[1] Quhilkis being sene and considerit be the Regentis Grace and Lordis of Secreit Counsale, findis it verie meit and necessar to be put to executioun, quhairthrow oure Soverane Lordis authoritie and service may be avanceit, thift and utheris enormiteis may be puneist, and Johnne Lord Maxwell now Wardane of the said Marche may be the mair abill to discharge his office and answer to the opposit Wardane as appertenis. And thairfoir ordanis letters to be direct to mak publicatioun of the foirsaid Act and ordinance be oppin proclamatioun at the marcat croce of the burgh of Drumfreis and utheris places neidfull, and to command and charge all the saidis Erllis, Lordis, Baronis, Frehaldaris, Gentilmen and substantious Yemen men, dwelland within the boundis of the said Wardanrie, that thay and ilkane of thame, without exceptioun, meit and convoy the said Johnne Lord Maxwell Wardane to all dayis of Trew, or uther tryist or conventioun quhilk he sall appoint, owther be oppin proclamatioun, wardane, officiar, or missive writting, for keping and preservatioun of the cuntre in peace and quietnes, and stancheing of thift, eftir the forme and tennour of the foirsaid Act and ordinance, and under the pane abonewrittin contenit thairin, to be tane up for ilk falt be Edward Maxwell of Drumcoltrane, quhome my Lord Regentis Grace, with avise of the saidis Lordis, hes appointit to that effect, to be suirlie kepit in box to be disponit to the utilitie of the commoun service, at command of his Grace and Counsale.

Anysleis in Fawlay.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale, be Adam Anyslie callit the Quhaip in Fawlay, James Anyslie thair, Williame Anyslie thair, Robert Achesoun thair, David Anyslie callit Breidles thair, and Johnne Broun thair, makand mentioun.—That quhair thay ar havelie troublit sen Williame Anyslie sumtyme of Fawlaw, thair Maister for the tyme, wes denunceit our Soverane Lordis rebell and put to the horne, nochtwithstanding that thay have alwayis behavit thame selffis as obedient subjectis; for Watt Ker of Littildane on the ane part, and Williame Rutherfurde Baillie of Jedburgh on the uther part, allegeing the males and dewiteis of thair stedingis, the service of thame selffis, and the teind schaves of thair cornis, to pertene to thame during the lyverent of the said Williame

Walter Ker of Litildane. Williame Rutherfurde.

[1] Vol. i. p. 300.

Anyslie, upoun severall rychtis and giftis of his escheit disponit to thame, dalie molestis and troublis the saidis complenaris; and quhen thay answer the ane, thay ar schorit to be compellit to mak dowbill payment ower agane to the uther; and swa can haif na lyff without the Regentis Grace declair quhome thay sould answer and obey, alsweill of thair males and dewiteis as of thair service and teyndis in tyme cuming. And anent the charge gevin to the saidis Walter Ker of Litildane, and Williame Rutherfurde Baillie of Jedburgh, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to this complaint, and to heir and se ordour takin thairin as appertenit, lyke as at mair lenth is contenit in the said complaint. The saidis Walter Ker and Williame Rutherfurde comperand bayth personalie, thair ressonis and allegationis being hard, etc.;—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, for ony thing thay haif yit sene, ordanis the saidis complenaris to answer, obey, and mak payment to the said Watt Ker of thair saidis males, fermis, and teyndis in tyme cuming.

Malie Hall. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Malie Hall, onelie lauchfull dochter on lyff of umquhile James Hall in Wollie, makand mentioun.—That quhair James Lang- Laird of Lang-landis. landis of that Ilk become souirtie for Will Robesoun in Rochthewchmylne, that the said Will sould satisfie the said Malie for the slauchter of hir said umquhile fader afoir the Regentis Grace departing out of this toun of Jedburgh; quhilk satisfactioun albeit schö hes oft and divers tymes requirit to be maid to hir, nochtwithstanding schö is driftit and delayit to hir havy dampnage and skayth, lyke as at mair lenth is contenit in the said complaint. Quhairunto the said James being warnit to answer, and comperand personalie;—my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing the said James Langlandis, of his awin consent, to mak payment to the said Malie Hall of the sowme of twenty merkis money of this realme, as for assyithment and satisfactioun to hir for the said slauchter; schö deliverand a letter of slanys thairupoun for hir self and sa mony as schö may lett, within xv dayis nixt eftir the said James be chargeit thairto, under the pane of rebellioun, etc., and gif he failye thairin, the saidis xv dayis being bipast, to denunce, etc., and to escheit, etc.

Alisoun Dunbar. The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Alisoun Dunbar ane of the airis portionaris of the lordschip of Loch and Kilconquhair, and David Makculloch of Druchtak, hir spous, for his interes, and produceit ane copy of our Soverane Lordis letters, quhairwith thay allegeit thay wer chargeit to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale the last day of November last bipast, to answer to sic thingis as sould be inquirit of thame at thair cuming, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit,

letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaid copy. Quhilkis being callit the said last day of November, wes continewit to this day; and, in respect nane comperit to persew the saidis Alisoun and David thay being bayth reddy to answer, protestit that the saidis letters and executioun thairof mycht ceise and na forder procedit aganis thame be vertew of the samyn quhill thay wer newlie warnit, and thair expenssis payit be the party purchessour of the saidis letters as efferis; quhilk protestatioun the Regentis Grace, with avise of the saidis Lordis, admittit.

[Jedburgh, 6th December.]

Sederunt—Domini ut in die predicto.

Charge to tak Thevis and do justice upoun thame.

Forsamekill as greit cair and trvaellis hes bene takin to stanche slauchter, murthour, reif, thift, maisterfull oppressionis, and sic utheris enormiteis, and to estableshe justice and quietnes in the boundis ewest the Bordouris, speciallie at the lait justice Airis and Court haldin in Jedburgh and Drumfreis, quhair rather clemencie and pardoun for bigane offencis hes bene favourablie offerit—to obtene trew men redres of thair harmis and skaythis ressavit, than the lyffis of men socht—on hoip to wyn the offendouris to obedience and bettir forme of leving heireftir. Yit a greit nowmer of wickit personis delyting still to continew in thair mischevous and evill deidis, hes wilfullie and contempnandlie absentit thame selffis fra justice, and thairthrow ar worthelie declarit rebellis and fugitives, and thair names contenit in a roll subscrivit be the Justice Clerkis depute proclamit and denunceit, and send alsweill to all the Wardanis in Scotland and England, as to the Erllis, Lordis, Greit Baronis, and utheris havand office or commandiment of men within the boundis of the Wardanrie of this realme. Quhairfoir and to the effect that the saidis rebellis and fugitives may be persewit, takin, apprehendit, and puneist according to justice, the Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing Archibald Erll of Angus Lord Dowglas and Abirnethy Lieutenent Generall ower all the Marcheis of this realme, the Wardanis of the saidis Marcheis, the Sheriffis, Stewartis, Baillies, Lordis of Regaliteis, Provestis, Aldirmen, and Baillies of Burrowis, and all and sindry Erllis, Lordis, Baronis, and utheris our Soverane Lordis liegis quhatsumevir, dwelland within the boundis of the saidis Wardanriis, to serche and seik the saidis rebellis and thevis, fugitives, quhairevir thay can be apprehendit, and to bring and present thame befoir the Justice or his deputtis, to be puneist for thair demerittis, or than to execute justice upoun the same offendouris thameselffis; and to that effect makis and constitutis the personis apprehendaris of the saidis rebellis and thevis, fugitives, oure Soverane Lordis Justices in that part, conjunctlie or severalie, with power to hald Court or Courtis in quhatsumevir part and place, and the saidis rebellis and thevis, fugitives to put to the knawlege of ane assyise and to execute justice on thame according to thair demereittis; clerkis, serjandis, dempstaris, and all utheris officiaris and memberis of Court neidful to mak,

creat, substitute and ordane; and generallie all and sindry utheris thingis to do that to the executioun of the premissis is necessarlie requirit. And als to command and charge all and sindry oure Soverane Lordis liegis, that nane of thame tak upoun hand to resset the saidis rebellis and thevis, fugitives, thair wyffis, bairnis, gudis or geir in thair houssis, or to suffer thame to dwell upoun thair landis, heretages, takkis, stedingis, baillieries, rowmes and possessionis, bot to put and hald thame furth of the same, eftir the forme and tennour of the generall band, and under the panis contenit in the same; certifeing thame that salbe remysse and negligent heirin, and not doing thair utter and exact diligence in executioun of the premissis, thay salbe put to the knawlege of ane assyise thairupoun, and puneist as manteinaris and partinaris with rebellis and thevis, with all rigour, in exempill of utheris; certifeing alsua all our Soverane Lordis liegis, that quhairevir ony of the saidis rebellis and fugitives now declarit and denunceit and contenit in the said roll, sall happen to be ressett, the resettouris and all thair gudis and geir salbe usit and demanyt as the rebellis thame selffis.

[Holyrood House, 16th December.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Comes de Sutherland. Willelmus Dominus Ruthven Thesaurarius. Georgius Dominus Seytoun. Dominus Sinclair. Episcopus Orchadensis. Episcopus Brechinensis. Commendatarius Dunfermling. Clericus Registri. Computorum Rotulator.

[Both factions in the burgh of Renfrew cited before my Lords on 29th October last,[1] to hear order taken as to the election of officers in that burgh, compeared, with the addition of John Knok and William Somervile in the second ten or faction]; and my Lord Regentis Grace and Lordis of Secreit Counsale, willing to remove the seditioun standing within the said burgh be ane newtrall and indifferent way, to the pleasour of God, quieting of the same Burgh, and removing of the factionis furth of the samyn, commandit and ordanit ayther of the saidis partiis to nominate sex personis, quhilkis on thair conscience thay thocht maist abill and indifferent to be Baillies of the said Burgh, and tendit the commoun weill and commoditie of the samyn. Quhilkis personis being nominat be the saidis partiis hinc inde, and my Lord Regentis Grace and Lordis foirsaidis finding bayth the personis aggreing on the persons of Adam Modirwell and Johnne Knok to be Baillies, Williame Ogilloch to be Thesaurare, Barthilmo Pirre in Paslay to be Clerk, and James Neilsoun and Henry Speir to be servandis;—thaireftir his Grace, with avise of the saidis Lordis, nominat the saidis Johnne Montgomery, James Boyd, Williame Modirwell sone to Allister Modirwell, Williame Reid, Uchtir Knok, Robert Knok, Andro Knok, Adam Knok, Williame Ogilloch, Niniane Patersoun, young Johnne Somervile,

[1] *Supra*, p. 559.

and Williame Snaip, to be on the Counsale of the said Burgh for this present yeir. Quhilkis personis swa nominat for the saidis publict offices being notifiit and declarit to all the utheris personis abonewrittin, and thay aggreing and contenting with the same.—My Lord Regentis Grace thairfoir, with avise of the saidis Lordis, ordanis and commandis bayth the foirsaidis partiis and all utheris that hes had vote in electioun of officiaris in the said Burgh in tymes past, to convene in the Tolbuith of the samyn upoun the · day of Januare nix to cum, and thair to proceid to the electioun of the personis abonewrittin to the saidis offices for the present yeir. Quhilkis personis being swa electit and chosin, my Lord Regentis Grace and Lordis of Secreit Counsale ordanis thame to be repute, haldin, reverencit, and obeyit as lauchfull and ordinar Magistrattis of the samyn during the said space, dischargeing all utheris officiaris quhatsumevir during the samyn space, and of thair offices in that part; and at the nixt Feist of Michaelmes, that thay, with sic utheris as hes vote in electioun—being alwayis conburgessis, actuall indwellaris within the said Burgh,—proceid, elect, and cheis sic personis for the yeir to cum,—and swa furth yeirlie thaireftir, to beir and use the foirsaidis offices—as ar maist honest, discreit and qualifiit thairfoir, being alsua conburgessis, actuall indwellaris within the samyn,—according to the ancient and lovabill custum observit in tymes past. Attour, my Lord Regentis Grace and Lordis foirsaidis, considering how sum personis within the said Burgh hes pretendit the inbringing of outlandis men to be Provest to the said Burgh, quhair as nane is requisite nor wes usit of befoir, perverting thairby thair liberteis and privilegis, and doand that in thame lyis to put the said toun and haill inhabitantis thairof under thraldome and subjectioun, quhilkis of befoir hes bene onelie subject to the service of oure Soverane Lord and his maist nobill progenitouris; and his Grace and Lordis foirsaidis, willing to continew the samyn in the awin ancient liberteis and privilegis, hes thairfoir dischargeit, and be thir presentis dischargeis the present Provest, gif ony be, of all using of the same or taking of the name or authoritie thairof upoun him, as alsua the saidis Baillies, Counsall and Communitie of all electing or chesing of ony Provest in tyme cuming, under the pane of tinsell of thair fredome. Forder, it being considerit quhat hurt the said Burgh hes ressavit be sum officiaris in tymes past, be applying a part of the commontie thairof to thair awin particular usis, and disponing of ane uther part to unfremen, na perfyte ordour being tane for suir keping of the commoun seill and utheris evidentis and writtis concerning the same,—it is thairfoir thocht gude and concludit, that the said commoun seill writtis and evidentis, be put in ane suir kist, quhairof ane key to remane in the keping of Williame Ogilloch, and ane uther with Williame Modirwell, and the thrid key with Adam Knok, and swa furth yeirlie to be changeit or continewit as the Baillies and Counsall for the tyme sall think gude for the commoun weill and commoditie of the said Burgh.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Computorum Rotulator. [Holyrood House, 20th December.]

Anent our Soverane Lordis letters rasit at the instance of Maister David Borthuik of Lochill Advocat to our Soverane Lord, makand mentioun. Kingis Advocat.
—That quhair Maister Williame Hendirsoun, sumtyme Pryour of the Blak Freris in Striveling, obtenit licence of the Regentis Grace to depart and pas furth of the realme to the partis beyond sey, thair to remane for doing of his lefull erandis and bissines for the space of certane yeris contenit thairin, as the samyn at mair lenth proportis; and albeit it wes gevin his Grace to understand the tyme of the suting of the said licence, that it wes for gude and necessary occasionis, tending alsweill to the instructioun and techeing of the said Maister Williame in letters and doctrine as for the avancement of him in utheris his particular effaris and bissines; yit now, as the Regentis Grace is suirlie informit, his procedingis and behaviour sensyne hes gevin plane declaratioun of the contrair, seing it is of veritie that continewalie sen the departing furth of the realme, he hes practizit sindry thingis directlie repugnant to the trew religioun of Jesus Chryst, as in hering and saying of mess and using of sic uther papisticall ceremoneis and ordouris, as not onelie is greit blasphemy to God and his Word, bot expres contrair the lawis of this realme and trew religioun now publictlie profest within the same,—quhairthrow as he deservis punisement in his persoun, sa be the lawis of this realme aucht he not to brouke or enjoy ony commoditie within the samyn. And anent the charge gevin to the said Maister Williame Hendirsoun—be oppin proclamatioun at the marcat croce of Edinburgh upoun thre scoir dayis warning, becaus he is presentlie furth of this realme,—to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand with him his said licence, to have bene sene and considerit, and to have hard and sene the same decernit and declarit to have bene null fra the begynning and siclyke in all tyme cuming, and forder to be puneist in his awin persoun as gif na sic licence had bene gevin, and as gif he had departit furth of this realme without licence for the caussis foirsaidis, or ellis to have allegeit ane ressonabill caus in the contrair; with certificatioun to him and he failyeit, the Regentis Grace, with avise of the saidis Lordis, wald decerne in maner abonewrittin, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the said Maister David Borthuik comperand personalie with Maister Henry M^c^Calyeane his informar, and the said Maister Williame Hendirsoun comperand be Maister Edward Hendirsoun his broder, the said Maister Edward allegeit that he could not produce the said licence, be ressoun the same wes and is in the handis and keping of the said Maister Henry Makcalyeane; quhilkis being grantit and produceit be him in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, and be thame sene and considerit, quha finding the forme thairof aganis the ordour observit in sic Mr. Williame Hendirsoun.

caissis, in sa far as the samyn extendis and gevis privilege to the said Maister Williame to remane furth of this realme during his awin will and pleasour. Quhairfoir, my Lord Regentis Grace, understanding him to have bene circumvenit in the passing thairof, with avise of the Lordis of Secreit Counsale, willis and declaris that the samyn sall induir and haif full effect for the said Maister Williamis remaning furth of this realme unto the last day of Februare nix to cum allanerlie, and now as than and than as now, decernis and ordanis that the said licence sall expyre, and haif na forder strenth force nor effect in ony tyme thaireftir.

[Henry Makcalyeane, advocate, produces license by the Regent to William Hendirsoun, Prebendary of the College Kirk of Restalrig, to remain abroad for studying and uther lawful business.]

[Obligation by Johnne Levingstoun, younger of Donypace, that Williame Elphinstoun, Sheriff-Depute of Orkney, shall apprehend Patrik Menteith, Captain of Kirkwall Castle, and others;[1] all at the horne for the slaughter of Adam Diksoun and for other crimes; bringing them before the Justice in the Tolbooth of Edinburgh by 10th April next, or expelling them from Orkney; the Sheriff-Depute of Orkney shall answer before the Council on 10th April for his diligence in the premisses.]

[Holyrood House, 21st December.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Willelmus Comes de Glencarne. Willelmus Dominus Ruthven Thesaurarius. Alexander Dominus Saltoun. Robertus Commendatarius Dunfermling. Commendatarius Balmerynoch. Clericus Registri. Advocatus.

Houstoun.

Anent oure Soverane Lordis letters rasit at the instance of Patrik Houstoun of that Ilk, makand mentioun.—That quhair upoun the xxii day of November last bipast, he, accumpaneit with certane his freindis and servandis, in quiet and peciabill maner wes cumand out the hie gait fra Dowchall to his place of Houstoun, belevand na evill to have bene done to him or ony of his cumpany, bot to have past furthwart as oure Soverane Lordis fre liegis without contradictioun or impediment. Nochtwithstanding, Williame Erll of Glencarne and James Maister of Glencarne his sone, accumpaneit with diverse thair freindis and servandis to the nowmer of thre hundrith personis all bodin in feir of weir, with jakkis, speirs, swerdis, culveringis, daggis, pistollettis, and utheris wappynnis invasive, expres contrair the Actis of Parliament and Secreit Counsale, come and umbeset the way of the said Patrik and his said cumpany at Over Dennestoun, being the Kingis hie gait and the direct way fra Dowchall to his said place of Houstoun; and thair in maisterfull and weirlyke maner, bayth on hors and fute, persewit thame for thair bodelie harme and cruellie and

Glencarne.

[1] In Index of excluded names.

unmercifullie slew umquhile Johnne Levenax and Johnne Hendirsoun, servandis to the said Patrik, hurt Maister Williame Houstoun his broder, chaissit his utheris freindis and servandis, spuilyeit and rubbit thame of thair horsis, pursis and silver being thairin, with thair swerdis and clokis, and tuke himself presonar; and sa detenis and haldis him as yit in the place of Finlastoun—without ony offence committit be him being oure Soverane Lordis fre subject, reddy and answerabill to the lawis of this realme at all tymes,—and on na wayis will put him to libertie and fredome agane without thay be compellit. And anent the charge gevin to the saidis Williame Erll of Glencarne and James Maister of Glencarne, to have put the said Patrik Houstoun to libertie and fredome furth of the said place, and suffer him to pas as our Soverane Lordis fre subject for doing of his lefull erandis and bissines in tyme cuming at his pleasour within xxiiii houris nixt eftir the said charge; or ellis to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun the sext day nixt eftir the samyn charge, quhilk wes the xvii day of December instant, and schawin ane ressonabill caus quhy thay sould not have done the samyn; with certificatioun to thame and thay failyeit letters sould be direct chargeing thame simpliciter thairto, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being callit upoun the said xvii day of December instant, and the said Patrik Houstoun comperand be Alexander King his procuratour, and Maister David Cunynghame comperand in name of the saidis Erll and Maister of Glencarne;—my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, in respect of the absence and non-comperance personalie of the saidis Erll and Maister, continewit the said mater unto this day, the xxi day of the said moneth, upoun conditioun that the said Patrik sould be exhibit befoir thame this samyn day, or than put to libertie in the menetyme; according to the quhilk conditioun, the saidis Erll and Maister comperand bayth personalie, with Maisteris Thomas Craig and Henry Kinross thair prelocutouris, presentit and exhibitit the saidis Patrik Houstoun personalie befoir his Grace and Lordis foirsaidis, under protestatioun that thay na wayis grant the narrative of the saidis letters to be of veritie, and that thay may use thair lauchfull defenssis befoir the Juge ordinar as accordis of the law. Quhilk protestatioun being admittit, thaireftir my Lord Regentis Grace, with avise of the saidis Lordis, declarit and declaris the said Patrik Houstoun to be at libertie to pas as oure Soverane Lordis fre liege in tyme cuming at his pleasour.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Willelmus Comes de Glencarne. Robertus Commendatarius de Dunfermling. Clericus Registri. Advocatus. [Holyrood House, 22d December.]

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale, be the Baillies, Counsale, Inhabitantis and haill Baillies and Communitie of the Cannogait.

Provest and Baillies of Edinburgh.

Communitie of the Cannogait, aganis the Provest, Baillies, Counsall and Communitie of the Burgh of Edinburgh, makand mentioun.—That quhair thair predicessouris and thay past memor of man leving, hes bene in use and consuetude to sell thair malt maid be thame to the browstaris and utheris inhabitantis within the said Burgh of Edinburgh in thair malt sellaris at hame, quhair thay reparit to the samyn, quhilk being bocht wes met in the saidis complenaris sellaris, careit and inbrocht to thame be the saidis complenaris horsis and servandis, and deliverit at thair brewhoussis but stop, troubill, or impediment to thame or thair servandis thairintill; lyke as alsua the malt men of Edinburgh hes bene and is in lyke mutuall societie with the saidis complenaris and thair browstaris perpetuallie hiddirtillis but impediment or stop; quhill laitlie in the moneth of November last wes, that the saidis Provest Baillies Counsall and Communitie of the said Burgh of Edinburgh, upoun quhat motioun or occasioun the saidis complenaris knawis not, hes stoppit the said malt to be inbrocht within thair fredome, without the same be first presentit to thair marcat, and thair to pay three penneis for the mettage of every laid quhilk sal happin to be presentit—quhilk is ane new novatioun,—under the pane of escheting of the samyn; and swa the saidis complenaris salbe brocht to greit povirtie, and the preparative presentlie usit aganis thame salbe prejudiciall to the rest of the liegis dwelling round about, without remeid be providit; humelie desyring thairfoir, that the saidis Provest and Baillies of Edinburgh mycht be warnit to compeir befoir the Regentis Grace and Lordis of Secreit Counsale at ane certane day, to heir thame decernit to desist and ceise fra all stopping and impediment making to the saidis complenaris to inbring be thair horsis and servandis at all tymes, be day or nycht, thair malt to the browstaris within the said burgh or utheris brewaris thairof, and thay to by the samyn, bot to suffer thame to posses thair auld trade thairof in tyme cuming, as thay haif done in tymes past, without hinder, stop, or impediment in ony wayis; or ellis to allege ane ressonabill caus quhy thay sould not do the samyn; with certificatioun to thame and thay failyeit, that the said Lord Regentis Grace and Lordis foirsaidis sould decerne in maner abonewrittin. And anent the charge gevin to George Dowglas of Parkheid Provest, Maister Johnne Marjoribankis, Robert Ker and Johnne Achesoun Baillies of Edinburgh, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to have hard and sene ordour takin heiranent as appertenit, lyke as at mair lenth is contenit in the said supplicatioun. Comperit personalie James Hart and Johnne Schort Baillies, for thame selffis and in name and behalf of the Counsale, Inhabitantis and Communitie of the said Burgh of the Cannogait, with Maister Thomas Craig thair prelocutour; and the said George Dowglas of Parkheid Provest, Maister Johnne Marjoribankis, Robert Ker and Johnne Achesoun, Baillies of the said Burgh of Edinburgh, being alsua personalie present, with Maister Edmund Hay thair prelocutour; quha allegeit that the said Provest, Baillies, Counsale and Communitie of the said Burgh of Edinburgh did na wrang in stopping of the saidis

Baillies, Counsale and Communitie of the Toun of the Cannogait, to inbring thair malt within the fredome of Edinburgh, without the samyn wer first presentit to thair marcat; becaus it is providit be Act of Parliament maid be King James the Fourt, of the dait at Edinburgh the xiii day of Junii, the yeir of God j^{m}iiii^{c}lxxxxvi yeris, that all the malt makaris of Leyth, Edinburgh, and utheris places about Edinburgh, or uther burrow townis within this realme, sall present thair malt to the marcat, and that thay sall not sell the said malt quhill nyne houris, under the pane of escheting of the samyn; and that the Provest and Baillies of ilk toun sould se the said Act kepit, lyke as power is gevin to thame be vertew thairof to escheit the said malt and answer thairfoir yeirlie in the Chekker; be vertew of the quhilk Act the saidis Provest and Baillies of the said Burgh of Edinburgh maid the stop and impediment abone libellit, and thairfoir did na wrang as said is. To the quhilk it wes answerit be the said Maister Thomas Craig, in name of the saidis Baillies, Counsall and Communitie of the said Burgh of the Cannogait, that the said Act wes cum in dissuetude and nevir tuke effect nor executioun in tyme bigane; in respect quhairof, as alsua that thay being a fre Burgh foundit with liberteis and privilegis of fre Burgh, that mekill mair it aucht not now to be put in executioun aganis thame be the saidis Provest and Baillies of Edinburgh, ower quhome it is allegeit thay have na power nor jurisdictioun.[1] Quhilk Act, allegeance, and answer, with divers utheris the ressonis and allegationis of bayth the saidis partiis, being hard, sene and considerit be my Lord Regentis Grace and Counsale, and thay ryplie avisit thairwith;—my Lord Regentis Grace and the saidis Lordis of Secreit Counsale, findis and decernis that in respect of the said Act of Parliament produceit befoir thame judiciallie, that the saidis Provest, Baillies, Counsale and Communitie of Edinburgh did na wrang in the troubill, molestatioun and impediment making abone libellit, and that thay sould not be compellit to desist and ceise thairfra in tyme cuming, nochtwithstanding the said allegeance maid be the said Maister Thomas Craig in the contrair, quhilk wes fund irrelevant. And thairfoir my Lord Regentis Grace and Lordis of Secreit Counsale, assoilzeit and assoilzeis the saidis Provest, Baillies, Counsale and Communitie of the said Burgh of Edinburgh fra the said supplicatioun, petitioun, and contentis thairof simpliciter, and decernis thame quyte thairfra in tyme cuming.

[1] Reference to Act of Parliament of the reign of King James IV. for regulating the sale of malt, of date the 13th of June 1496. The Estates sat on that day, but none of their proceedings, so far as they have been preserved in the Record Edition of the Acts, answer to the regulations set forth in the Register of the Council. Six Acts of that session are preserved: the first, "of the libertie and fredome of Haly Kirk;" the second against obtaining benefices from Rome; the third is the celebrated Act requiring landed gentlemen to send their sons to schools; the fourth relates to the coinage; the fifth comes nearer the matter in hand, being "of the prices maid up on all maner of stuffe wrocht by any maner of workman;" the last relates to the writ of summonds on error (Act. Parl. Scot., vol. iii. pp. 297, *et seq.*). In the reign of King James IV., and in the year 1503, two Acts regulating the sale of malt were passed (1503, 1st Parl. c. 30; 2d Parl. c. 38—Act. Parl. Scot., vol. ii. pp. 245, 253). The terms of the Register might apply to the second of these Acts, which may therefore be presumed to be in some measure a repetition of the Act of 1596.

[Holyrood House, 25th December.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Willelmus Comes de Glencarne. Advocatus.

Discharge of Lord Frances evidentis.

Forsamekill as it is being understand to my Lord Regentis Grace and Lordis of Secreit Counsale, that thair wes ane kist full of evidentis and writtingis pertening to Frances Lord Halis, Commendatare of the Abbay of Kelso, in the handis of umquhile Sir Johnne Bellenden of Auchnowle knycht, Justice Clerk, administratour of the said Abbay, and that the key of the same kist is in the handis of Petir Dischingtoun, causit charge Maister Thomas Craig advocat, Patrik Bellenden of Stanehous, and Johnne Grahame, havaris and detenaris of the said kist in thair custody, and the said Petir Dischingtoun, kepar of the said key, to exhibit and produce the said kist and key befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to the effect ordour mycht be takin thairwith as appertenit, lyke as at mair lenth is contenit in the said charge. The saidis Maister Thomas Craig, Patrik Bellenden, Johnne Grahame, and Petir Dischingtoun comperand all personalie, the saidis Maister Thomas Craig, Patrik Bellenden, and Johnne Grahame, in name of the said umquhile Sir Johnne Bellenden and his airis, produceit and exhibitit befoir my Lord Regentis Grace and Lordis foirsaidis the said kist, with certane evidentis and writtingis being thairintill pertening to the said Lord, lokkit, and that in the same forme and maner as thay allegeit thay ressavit it, lyke as the said Petir Dischingtoun produceit the key thairof. Quhilk kist, with the saidis writtis and evidentis, being ressavit be the said Lord Regent, lokkit in maner foirsaid, and the key of the same, ordanit to remane with the said Petir quhill inventure wes had thairof; thairfoir his Grace, with avise of the saidis Lordis, dischargeit and dischargeis the saidis Maister Thomas Craig, Patrik Bellenden, and Johnne Grahame, and als the airis and executouris of the said umquhile Sir Johnne Bellenden of the same kist, writtis and evidentis, for now and evir.

[Holyrood House, 2d January.]

Sederunt—Jacobus Dominus Regens. Patricius Episcopus Sancti-andree. Willelmus Dominus Provand. Advocatus.

Portionaris of Sauchtounhall.

Anent the complaintis maid to my Lord Regentis Grace and Lordis of Secreit Counsale be the personis underwrittin hinc inde upoun utheris; thay ar to say, Johnne Dalyell portionar of Sauchtounhall on the ane part, and Johnne Stennop of Stennop Mylne on the uther part,—anent the casting of dykes and sewchis for bigging of twa mylnis upoun the landis, viz., of Stennop and Sauchtounhall, acclamit to appertene to ayther of thame and utheris portionaris of the saidis landis, and bringing of watter to the saidis mylnis, ayther of thame throw utheris boundis, as at mair lenth is contenit in the saidis complaintis. The said Johnne Dalyell comperand personalie, with Maister Henry M°Calyeane his prelocutour, and the said Johnne Stennop being alsua personalie present, with Maister Johnne Moscrop his prelocutour;—my Lord Regentis Grace and Lordis of Secreit Counsale

understanding the said mater to be civile, hes thairfoir remittit and remittis the same to be discussit and persewit civilie befoir the Juge Ordinar, and in the menetyme quhill the end and decisioun thairof, ordanis bayth the saidis partiis to find cautioun actit in the bukis of Secreit Counsale, that all casting of dykis and sewchis, or forder proceding in the said werk be thame, thair men, tenentis, or servandis, or ony utheris in thair names, sall ceise and remane in the same stait as it is, ilkane of thame under the pane of fyve hundrith merkis.

[Johnne Stewart of Cragyhall becomes cautioner for Johnne Dalyell and James Watsoun in Sauchtounhall for Johnne Stennop.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Adam Episcopus Orchadensis. Episcopus Dunkeldensis. Commendatarius Dunfermling. Commendatarius de Newbottill. Clericus Registri. Computorum Rotulator. Advocatus. [Holyrood House, 5th January.]

[Alexander Balfour of Dene Mylne represents that the charge issued at the instance of the tenants of Galtounsyde and Moshoussis for prosecuting them for the whole of the old ferms of these lands[1]] was evill and inordourlie usit and execute aganis him, he naythir being chargeit personalie nor at his dwelling place, nor na copy thairof deliverit to him nor to his wyff or servandis, naythir affixt upoun the yet or dur of his said dwelling hous as use is, nor yit wes ony intimatioun maid to him of the samyn, quhairthrow his absence and non comperance procedit not upoun ony contempt of our Soverane Lord or his authoritie, bot onelie be misknawlege of the said charge; in respect quhairof, and that he is now content to compeir befoir his Grace and Lordis foirsaidis and answer to the saidis letters, conforme to the tennour thairof, the samyn letters and proces of horne contenit thairintill aucht and sould be suspendit simpliciter in tyme cuming. And anent the charge gevin to the saidis Johnne Bowstoun, George Gray, and Johnne Carter purchessouris of the saidis letters, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand with thame the saidis letters of horning, togidder with the saidis utheris letters quhairupoun the samyn procedit, with the executionis and indorsationis thairof, to have bene sene and considerit, and to have hard and sene the same effect thairof and proces of horne contenit thairintill to be suspendit simpliciter in tyme cuming, for the caussis foirsaidis, lyke as at mair lenth is contenit in the foirsaidis letters, executionis and indorsationis thairof. The said Alexander Balfour comperand personalie with Maister Edmond Hay his prelocutour, and the saidis George Gray, Johnne Bowstoun, and Johnne Carter being alsua personalie present with Alexander King thair prelocutour; quha produceit the saidis letters of horning usit, execute, and indorsat, togidder with the saidis utheris letters quhair- Alexander Balfour. Tenentis of Galstounsyde.

[1] *Supra*, p. 569.

upoun the samyn procedit, with the executioun and indorsatioun thairof; quhilkis with divers the ressonis and allegationis of bayth the saidis partiis being hard and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace and Lordis foirsaidis findis that the saidis first letters hes not bene lauchfullie nor dewlie usit and execute upoun the said Alexander Balfour, and thairfoir hes suspendit and suspendis the said utheris letters of horning following thairupoun upoun him simpliciter in tyme cuming; and attour, remittis the principall mater abonewrittin to be persewit and discussit befoir the juge ordinar as accordis of the law.

Salamon Kerknett.

Thomas Bassinden.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Salamon Kerknet of Madeburgh, composer of the werk of the Bybill, makand mentioun;—that quhair Thomas Bassinden maister of the said werk causit bring the said Salamon furth of Flanderis, quhair he wes at his laubour in composing, and quhen he come in Scotland he changeit the contract that wes maid with him in Flanderis and maid ane new contract, quhairin wes promeist to the said Salamon owlklie fra the begynning of the Bybill to the end thairof xlix ŝ., as the said contract at mair lenth proportis. Nevirtheles, the said Thomas on na wayis will fulfill his part of the said contract to the said Salamon, be payment making to him of his saidis wageis, sen the xxiii day of December last bipast, and siclyke in tyme cuming, conforme to the said contract, without he be compellit. And anent the charge gevin to the said Thomas, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, he sould be denunceit rebell and put to the horne, lyke as at mair lenth is contenit in the said complaint. Bayth the saidis partiis comperand personalie, thair ressonis and allegationis being hard and considerit be the Regentis Grace and Lordis of Secreit Counsall, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Thomas to mak payment to the said Salamon of the said sowme of xlix ŝ. for ilk owlk sen the said xxiii day of December last, and siclyke owlklie in tyme cuming to the end of the werk of the said Bybill, conforme to the said contract, without prejudice to the said Thomas to persew Alexander Arbuthnot burges of Edinburgh for his releif of the said owlklie wageis as accordis; and ordanis letters to be direct heirupoun gif neid be in forme as efferis.

[Holyrood House, 8th January.] To give up dittay to the air of Linlythquow.

Forsamekill as the justice Air of the Sherefdome of Linlythquow, eftir sindry continewationis, is at last peremptourlie appointit to be haldin and begin in the Tolbuith of Edinburgh, upoun the xxiii day of Januare instant, with continewatioun of dayis; and becaus sindry of the personis indwellaris of the said Sherefdome his differrit to gif in thair complaintis and dittayis upoun sic crymes and offenssis committit aganis thame, as ar to

be persewit in the said Air; seing the Regentis Grace now intendis that the same Air sall proceid, God willing, and is determinat to ministrat justice thairin to all partiis complenand as accordis of the law. Thairfoir, ordanis letters to be direct to charge all and sindry personis quhilkis hes to do, persew, follow or defend in the said justice Air, be oppin proclamatioun at the marcat croces of Edinburgh and Linlythquow, that not onelie thay present thameselffis thairat and await upoun thair calling as thay wilbe servit, bot alsua in caise thay haif not yit gevin in thair complaintis and dittayis, that thay gif in the same to the Justice Clerk and his deputtis within sex dayis eftir this present proclamatioun, to the effect that the saidis personis complenit upoun may be dewlie arreistit be the crownar in dew tyme befoir the doun sitting of the air; certefeing thame that failysis eftir the dounsitting of the air, dittayis nor complaintis will not than be ressavit upoun ony personis that ar not afoir arreistit.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Adam Episcopus Orchadensis. Episcopus Dunkeldensis. Commendatarius de Newbottill. Magister Willelmus Baillie Dominus Provand. Clericus Registri. Computorum Rotulator. Advocatus. [Holyrood House, 11th January.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Alexander Arbuthnott, burges of Edinburgh, makand mentioun.—That quhair thair is ane contract maid betuix him and Thomas Bassinden, buke binder, contenand in effect that he sould deliver to the said Alexander, with all possibill diligence, the werk of the Bybill ellis prentit with the prenting hous and necessaris appertening thairto meit for setting furthwart of the said werk, as the said contract at mair lenth beris. Nochtwithstanding, he on na wayis will do the samyn without he be compellit, quhairthrow the said werk lyis ydill in the menetyme, to the greit hurt of the commoun weill of this realme. And anent the charge gevin to the said Thomas to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne, as the samyn complaint at mair lenth beris; the said Alexander Arbuthnot comperand personalie, and the said Thomas Bassinden being alsua personalie present, with Maister Richert Spens his prelocutour, thair ressonis and allegationis, with the said contract, being hard sene and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, ordanis the said Thomas, to deliver to the said Alexander the said werk of the Bybill ellis prentit, with the prenting hous and necessaris appertening thairto meit for setting furthwart of the said werk, conforme to the said contract, betuix the dait heirof and the last day of Januare instant, and ordanis letters to be direct heirupoun gif neid be. Alexander Arbuthnott. Thomas Bassinden.

Alisoun Dunbar.

Anent the charge gevin to Alisoun Dunbar of the Loch and David Makculloch of Druchtak hir spous for his interes, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsall at ane certane day bipast, to have answerit to sic thingis as sould have bene inquirit of thame at thair cuming, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, thay sould be denunceit rebellis and put to the horne, lyke as at mair lenth is contenit in the said charge. The saidis Alisoun Dunbar and David Makculloch comperand bayth personalie, with Maister Thomas Craig thair prelocutour, and Williame Adair of Kinhilt, purchessour of the said charge, being alsua personalie present. The said Williame produceit befoir the said Lord Regentis Grace and Lordis foirsaidis, ane informatioun in writt contenand divers heidis, tuicheing the using and productioun befoir the Commissaris of Edinburgh, of certane fals and fenyeit letters, evidentis and utheris writtis, to the hurt and prejudice of Cristiane Adair, dochter to Williame Adair, quhairupoun he desyrit the said Alisoun Dunbar to be inquirit and examinat. Quhilk informatioun being red, sene, and considerit, it wes answerit and allegeit be the said Maister Thomas Craig, in name of the said Alisoun, that the said mater had alreddy tane decisioun befoir the saidis Commissaris of Edinburgh, and thair decreit gevin thairintill, quhilk can nor aucht not to cum in questioun, bot be way of reductioun befoir the juge ordinar. Quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, in respect of the said decreit gevin be the saidis Commissaris, remittis the said mater to be persewit befoir the juge ordinar as accordis.

Kinhilt.

To denunce Williame Robesoun messinger.

Anent the charge gevin be vertew of our Soverane Lordis letters to Williame Robesoun alias Twiche Him, messinger, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to sic thingis as sould be inquirit of him at his cuming, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being divers tymes callit, and the said Williame not comperand, my Lord Regentis Grace thairfoir, with avise of the saidis Lordis of Secreit Counsale, ordanis letters to be direct to officiaris of armes, etc., chargeing thame to pas and denunce the said Williame our Soverane Lordis rebell, etc., and to escheit, etc.

Band of Alexander Forbes, burges of Abirdene.

Be it kend till all men be thir present letters, me, Alexander Forbes, burges of Abirdene: Forsamekill as Thomas Nicolsoun, burges of Abirdene, having ane schip callit the Thomas, quha perishit upoun the coist of Holand, quhairin thair wes divers gudis pertening to sindry personis, quhairof the part saulf wes intromettit with be the inhabitantis of Holand, and penny maid thairof to the Lordis of the ground quhair the said schip

perisheit, and the pryces deliverit to Robert Fyff and Robert Symsoun, Scottismen factouris dwelland in Flanderis, and that thair is commissioun gevin to Andro Buk, burges of Abirdene, to persew and ressave the samyn; thairfoir to be bundin and obleist, and be thir present letters bindis and obleissis me, my airis and executouris,—to our Soverane Lord and his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to his Hienes, his realme and liegis, and Greit Admirall of Scotland,—as cautionar and souirtie for the said Andro Buk, that samekill of the said geir or pryces thairof as salhappin to be recoverit and upliftit be him, salbe furthcumand to oure said Soverane Lord, the said Lord Regent and Admirall, and all partiis havand interes thairto as law will, at the said Lord Regentis sicht, be quhais command and directioun the same gudis or pryces thairof salbe distributit according to rycht and equitie, ane na deliverance or divisioun maid of the same in the menetyme. And heirto I promit faythfullie be thir presentis, and am content, and consentis that thir presentis be actit and registrat in the bukis of Secreit Counsale, and decernit to have the strenth of ane Act and decreit of the Lordis thairof, with letters and executoriallis to pas thairupoun in forme as efferis. In witnes of the quhilk thing I have subscrivit thir presentis with my hand at Haliruidhous, the xiiii day of Januare, the yeir of God j^{m}v^{c}lxxvi yeris, befoir thir witnessis Maister Thomas Craig advocat, Alexander Hay directour of the Chancellarie, Williame Wylie writtar, servand to the Regentis Grace, and Archibald Prymrois, with utheris diverse. Sic subscribitur: Alexander Forbes with my hand.

[Holyrood House, 20th January.] Ergyle. Atholl

The Regentis Grace and Lordis of Secreit Counsale, understanding that this present day being appointit for hering and ordour taking in the troubles and contraversiis standing betuix the Erllis of Ergyle and Atholl, to the Kingis Majesteis obedience and quietnes of the cuntre, and that thay bayth ar reparit to the burgh of Edinburgh, accumpaneit with greit nowmeris of thair freindis and servandis; amangis quhome gif ony new or forder troubill sould fall out at this tyme, it sould greitlie hinder the intentioun of his Grace and the Counsale tuicheing the hering and ordouring of the saidis contraversiis. Thairfoir ordanis ane Herauld, Maser, or ony uther officiar of armes, to pas to the marcat croce of the said burgh of Edinburgh, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie, to command and charge the saidis Erllis of Ergyle and Atholl, and all and sindry our Soverane Lordis liegis reparit with thame or ayther of thame to this Burgh, and utheris quhatsumevir, that nane of thame tak upoun hand to invade troubill molest or inquiet utheris, in word deid or countenance, in thair cuming to this burgh, remaning thairin, or departing thairfra, quhill the finall end of this present assemble of the nobilitie, under the pane of deid; with certificatioun to thame that dois in the contrair, the said pane of deid salbe execute upoun thame with all rigour, in exempill of utheris. And als to inhibit all men to beir, weir, or schute ony culveringis, daggis, pistolettis, or fyre werk, under the panis contenit in the

Actis of Parliament and of Secreit Counsale, except the Regentis awin gaird and houshald servandis, and the townschip of Edinburgh appointit to keip gaird within the toun for the gude rewle thairof, under the panis contenit in the Actis of Parliament and of Secreit Counsale; with certificatioun to thame that failyeis and beis apprehendit doand in the contrair, the panis contenit in the saidis Actis salbe execute upoun thame without delay or favour.

[Holyrood House, 2d February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Colinus Comes Ergadie. Joannes Comes de Montrois. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Hugo Dominus Somervile. Allanus Dominus Cathcart. Episcopus Orchadensis. Episcopus Moraviensis. Episcopus Brechinensis. Commendatarius de Newbottill. Commendatarius de Deir. Advocatus.

Kingis Advocattis.

Anent oure Soverane Lordis letters rasit, at the instance of Maisteris David Borthuik of Lochill and Robert Creichtoun of Elyoke advocattis to oure Soverane Lord, Maisteris Richard Strang and Thomas Craig procuratouris for the Kirk,—makand mentioun.—That quhair in the moneth of the yeir of God j^{m}v^{c}lxi yeris, it wes ordanit be ane generall Act of the Secreit Counsale, that all beneficit personis within this realme sould haif gevin up thair trew and just rentallis of thair saidis benefices, and gif thay failyeit and gaif not up the rentallis of thair saidis benefices, the haill frutis of the same sould be inbrocht to our Soverane Lordis moderis use; and quhatsumevir wes omittit and left ungevin up of thair saidis rentallis, the haill omittit in lyke maner sould be inbrocht to our said Soverane Lordis moderis use, to be employit to the sustenyng of the ministerie and utheris commoun effaris of the realme, as at mair lenth is contenit in the generall Act and ordinance maid thairupoun.[1] And it is of veritie that as yit thair is not ane just and trew rentall of the Pryorie of Coldinghame gevin up, bot hes bene neglectit to be persewit for hitherto, —partlie becaus the haill thrid wes gevin fre in the begynning to umquhile Johnne, Commendatare of Coldinghame; and sen his deceis be the negligence and owersicht of the collectouris for the tyme, and thair officiaris, quha persewit not for ane trew rentall thairof. Quhairthrow, oure Soverane Lord and the ministerie of the Kirk ar and hes bene defraudit of the just thrid of the said Pryorie, and the present thrid thairof it is gevin up is not abill nor sufficient to sustene the ministeris of the kirkis of the same ane greit way, mekill les to contribute ony thing to our Soverane Lord to the sustentatioun of the commoun effaris of this realme. And anent the charge gevin to Alexander Hume Pryour or Commendatare of Coldinghame that now is, and Alexander Hume of Manderstoun his fader and administratour, to have brocht, produceit, and exhibitit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day

Pryour of Coldinghame.

[1] See the Act of 22d December 1561, vol. i. p. 192.

bipast the just and trew rentall of the said Pryorie of Coldinghame, to the effect that thair mycht be ane just thrid assumit and tane out thairof, to the sustentatioun of the ministerie and support of the commoun effaris of this realme; with certificatioun gif thay failyeit, the haill frutis of the said Pryorie sould be tane up be our Soverane Lord and his officiaris to be depute thairto, to be inbrocht and employit to the usis foirsaidis; and als with certificatioun gif ony thing had bene omittit ungevin up in the said rentale, the same omittit sould halelie pertene to our Soverane Lord, and be inbrocht to the usis foirsaidis, conforme to the first ordour tane anent the uptaking of the thridis—actis statutis and lawis maid thairupoun, lyke as at mair lenth is contenit in the saidis letters. The saidis Maisteris David Borthuik and Thomas Craig comperand bayth personalie, and the said Alexander Hume of Manderstoun being alsua personalie present, with Maister David Makgill his prelocutour, and the said Maister David as procuratour for the said Commendatare,—quha for satisfeing of the desire of the said terme, producit and exhibitit ane tak of the said Pryorie set in assedatioun to umquhile Maister Johnne Spens of Condy, for payment of ane thowsand merk, quhilk wes allegeit to be ane just rentall and wes gevin in afoir be Johnne, sumtyme Commendatare of the said Pryorie; and forder, produceit ane tak of the same Pryorie, set sensyne be the said Alexander, present Pryour, to his said fader, for the space of nynetene yeris eftir the dait of the samyn, quhilk is of the dait at the Abbay of Coldinghame, the tent day of August, the yeir of God j^{m}v^{c}lxxv yeris for payment yeirlie of ane thowsand merkis money of this realme.

Allister Dow McAllane and his broder.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be Allaster Dow M^{c}Allane M^{c}Ewin of Camroun, and Johnne Cam, his broder of surnawm, makand mentioun.—That quhair Johnne Erll of Atholl, his servandis and utheris in his name—of his causing, command, assistance and ratihabitioun, be force and way of deid, certane monethis syne or thairby, tuke and apprehendit the saidis complenaris and put thame in suir firmance and captivitie in his place of the Blair of Atholl, be quhat power, commissioun or authoritie thay knaw not, quhairin thay ar maist extremelie handillit and detenit continewalie sensyne,—and on na wayis will put and caus put thame to libertie furth of the said ward, swa that thay may pas and behaif thame selffis for doing of thair lefull effaris and bissines as oure Soverane Lordis fre liegis,—without he be compellit. Humelie desyring thairfoir command to ane maser to pas and charge the said Erll of Atholl to put the saidis complenaris to fredome and libertie furth of the said place, swa that thay mycht behave thame selffis as our Soverane Lordis fre liege men for doing of thair lefull effaris, within thre dayis nixt eftir the charge; or ellis upoun the samyn thrid day to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, and schaw ane ressonabill caus in the contrair; with certificatioun to him and he failye, letters to be direct simpliciter upoun him to the effect foirsaid, lyke as at mair lenth is contenit in the said supplicatioun. The saidis Allister

Atholl.

Dow and Johnne Cam comperand be Ewin M^{c}Ane capitane of Innerlochy —thair fader broder, with Maister Thomas Craig thair procuratour; and the said Johnne Erll of Atholl comperand be Maisteris Johnne Scharp and Alexander Mauchane his procuratouris, be quhome it wes allegeit that the saidis Allister Dow and Johnne Cam wer denunceit rebellis and put to the horne, remaning thairat the tyme of thair apprehensioun as thay do yit, and thairfoir sould not put thame to libertie; and forder, that thay had committit divers slauchteris, heirschippis and oppressionis upoun certane the said Erllis men, tenentis and servandis, and utheris oure Soverane Lordis liegis, and wer fugitives fra the law thairfoir; and thairfoir thay being takin and apprehendit as rebellis and fugitives within his boundis and jurisdictioun—he havand power and authoritie thairto—aucht not to be put to libertie as is desyrit bot justice execute upoun thame, conforme to thair demerittis and lawis of this realme; and to that effect offerit and wes content to bring and present thame befoir my Lord Regentis Grace and Lordis of Secreit Counsale, or befoir the Justice or his deputtis, upon sic day as thay wald appoint to be tryit as efferis. Quhilk allegeance, with divers utheris the ressonis and allegationis of bayth the saidis partiis, being hard and considerit be my Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, assignis the xxv day of Februare instant to the said Maister Johnne to preife the first part of his said allegeance, be productioun of the saidis letters of horning, with the executionis thairof, befoir his Grace and Lordis of Secreit Counsale, at Haliruidhous or quhair it sal happin thame to be for the tyme; and als ordanis, in respect of the said Maister Johnnes awin offer and consent, the saidis Allister Dow and Johnne Cam to be brocht and exhibit befoir his Grace and Lordis foirsaidis be the said Erll of Atholl or ony utheris in his name, the samyn day and place, to the effect that ordour may be takin with thame as appertenis, under the pane of rebellioun and putting of the said Erll to the horne; with certificatioun to him and he failye, the said day being bipast, he salbe incontinent thaireftir denunceit our Soverane Lordis rebell and put to the horne, and all his movabill gudis eschetit, etc.

[Holyrood House, 14th February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Colinus Comes Ergadie. Joannes Comes de Montrois. Willelmus Comes de Menteith. Laurencius Dominus Oliphant. Dominus Levingstoun. Henricus Dominus Sinclair. Joannes Dominus Maxwell. Joannes Dominus Hereis. Allanus Dominus Cathcart. Adam Episcopus Orchadensis. Alexander Episcopus Brechin. Dunfermling. Newbottill. Clericus Registri. Advocatus.

Act for transporting of victual.

Forsamekill as althocht it be statute and ordanit be Act of Parliament that nane of our Soverane Lordis lieges or strangearis sall cary ony victuallis furth of this realme to uther partis, except samekill as salbe thair

necessar victualling for thair vayage, under the pane of escheting of the said victuall to his Hienes use, togidder with the rest of all thair gudis movabill to be likewayis applyit and inbrocht to his Hienes use as escheit, and that the said Act is extendit to the maisteris and skipparis of the veschellis that ressavis sic victuallis, as to the awnaris of the gudis, lyke as the said Act at mair lenth proportis. Yit the Regentis Grace and Lordis of Secreit Counsale, considering now that the occasioun of the making of the same Act hes bene derth and scarsnes of victuallis, quhairwith the realme at that tyme hes bene troublit, and that than and sindry yeris sensyne this cuntre being in the lyke necessitie, hes ressavit large help and support of victuallis out of the eistir seyis, France, Flanderis, and England, quhairby the liegis hes bene greitlie relevit; the lyke favour and gude nychtbourheid, charitie and amytie cravis to be extendit towartis the people of the saidis cuntreis in this present yeir, quhen it hes plesit God to visie thame with the lyke derth and scarssitie, and this realme with sic incres and plenty of victuallis as sum part thairof may, without prejudice of the state, be sparit to the releif of our nychtbouris necessiteis. In respect alsua that the fermoraris and puyr labouraris of the ground, that hes na uther thing to leif on and to sustene all thair necessaris and chargeis bot thair cornis, sould be greitlie interessit gif thay wer constranit to sell thair saidis cornis at the law pryces now currant,—seing nowther marchandice, cattell, nor the feis of laboura ris and servandis, or ony thing decressit, bot continewis at the lyke derth and derare nor in the yeris preceding quhen the cornis wer sauld at mair than the dowbill avale of the pryces present; thairfore, and for certane utheris gude caussis and considerationis, the saidis Lordis of Secreit Counsale hes thocht convenient—counsalit and advisit the Regentis Grace—to suffer and permit sum ressonabill quantitie of quheit and beir, at his gude discretioun, be transportit and careit furth of this realme for the releif and help of our nychtbouris, presentlie having neid thairof; and that he may grant licencis to that effect, dispensand with the said Act of Parliament for this yeir onelie. And to the effect that no greittar quantitie of victuallis salbe transportit under pretens of the saidis licencis nor that quhilk salbe expreslie contenit in the samyn, ordanis letters to be direct, chargeing all the custumaris and sercheouris in the boundis quhair the said victuale salbe imbarkit, to serche and tak heid diligentlie that na greittar quantitie be schippit and transportit nor the licencis beris, as thay will answer upoun the dewitie of thair offices at thair uttirmest charge and perrell; and in caise ony do in the contrair, that thay escheit and confiscat the schip and victuallis as gif the haill had bene schippit and transportit without licence to oure Soverane Lordis use.

[Holyrood House, 18th February.] Thomas Fraser band.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Thomas Fraser of Knocke, and gaif in this band and obligatioun underwrittin, desyring the samyn to be actit and registrat in the bukis of Secreit Counsale, and to have the strenth of ane Act and

decreit of the Lordis thairof, and thair authoritie to be interponit thairto, and letters and executoriallis to be direct thairupoun in forme as efferis; quhais desire the saidis Lordis finding ressonabill, hes ordanit the samyn to be insert in the saidis bukis, of the quhilk the tennour followis: Be it kend till all men be thir present letters, me Thomas Fraser of Knocke, broder to umquhile Hew Lord Fraser of Lovett, and apperand tutour to his sone and air that is to succeid to him, and als donatour to the ward and nonentres of the lordschip and leving of Lovatt: That forsamekill as the said umquhile Hew Lord Fraser of Lovett, my broder, sauld and annaliit heretable be charter and sesing to Johnne Hay of Lochloy, his airis and assignayis, all and haill the landis of Kynnowdy, with the pertinentis, and maid thame assignayis to the gift of nonentres thairof, for greit sowmes of money payit and deliverit thairfoir, quhilk the said umquhile Lord my broder and his airis ar obleist and haldin to warrand; and understanding that the said Johnne Hay is now troublit be Thomas Fraser in Kynnowdy, present occupiar of the saidis landis, quhairthrow he can not get the full proffeit and commoditie thairfoir, according to the meaning of the said umquhile Lord, the dangeare quhairof be warrandice or utherwyis can not fail to ly upoun his sone and air, to quhome now I am tutour. Thairfoir and for certane favouris and gratitudis schawin to me be ane nobill and michtie Lord, James Erll of Mortoun Lord of Dalkeyth, Regent to oure Soverane, his realme and liegis, to quhome the said Johnne Hay is kynnisman, to be bundin and obleist, and be the tennour heirof faythfullie promeissis bindis and obleissis me, to the said Lord Regentis Grace, that howsone the said Johnne Hay sall get the said Thomas Fraser decernit to remove as violent possessour of the saidis landis, I nor nane utheris, the kin, freindis, assistaris, or partakaris of the hous of Lovett, or utheris that I may lett, sall mak ony stop, troubill, inquietatioun, or impediment to the said Johnne Hay, his airis, assignayis, or tenentis, occupiaris of the foirsaidis landis of Kynnowdy to be placeit be thame thairin, in the peciabill occupatioun and laubouring thairof, nor sall not invade, molest, or troubill thame in bodiis or gudis, or beir grudge, querrell, or inymitie aganis thame for removing of the said Thomas fra the saidis landis, nowther sall we manteine, fortifie, or schaw favour to the said Thomas Fraser, his assistaris or partakaris quhatsumevir aganis the said Johnne Hay, his airis and assignayis foirsaidis; and heirto I obleis me to the said Lord Regentis Grace upoun my trewth and fidelitie, and under the pane of perjurie, infamy, and tinsell of credeit and estimatioun; and for the mair assurance heirof, I am content and consentis that thir presentis be actit and registrat in the bukis of Secreit Counsall, and haif the strenth of ane Act and decreit thairof, with executoriallis to pas thairupoun in forme as efferis. In witnes heirof I have subscrivit thir presentis with my hand, at Edinburgh, the xviii day of Februare, the yeir of God j^{m}v^{c}lxxvi yeris, befoir thir witnessis Alexander Brody of that Ilk, Alexander Hay of Fyneffeld, and Alexander Hay, directour of the Chancellarie. Sic subscribitur: Thomas Fraser of Knocke.

[Clerk of Privy Council is commanded to delete from his books all Acts by which Williame Cunynghame of Caprintoun was obliged to enter Andro Master of Uchiltre before the Council, because he and the party with whom he quarrelled are now agreed.] To delete Caprinton's Acts.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Colinus Comes Ergadie. Willelmus Comes de Menteith. Allanus Dominus Cathcart. Magister Willelmus Baillie Dominus Provand. Marcus Commendatarius de Newbottill. Advocatus. [Holyrood House, 19th February.]

[Adam Turnbull of Belses, and Hector Turnbull his son, represent to the Council that although George Douglas of Bonjedburgh became cautioner for Johnne Turnbull of Mynto and others, that certain persons would be skaithless of them from 14th July last to the Feast of Pasch next,[1] yet] Walter Turnbull of Firth, servand and dependar upoun the said Johnne Turnbull of Mynto, upoun the xxix day of Januare last bipast, tuke Patrik Bennet servand to the said Adam Turnbull of Belses, band him hand and fute, and thaireftir drew his swerd, quhairwith he cruellie hurt and woundit him to the effusioun of his blude in greit quantitie, and left him for deid; in hie contemptioun of our Soverane Lordis authoritie and lawis, expres contrair the tennour of the said Act, and to the evill exempill of utheris to do the lyke gif this be sufferit to remane unpuneist. And anent the charge gevin to the said Johnne Turnbull of Mynto, Walter Turnbull in Bewlie, Walter Turnbull in Firth, Dand Davidsoun in Kamys, Walter Turnbull in Rafflatt, and Dand Turnbull in Tronyhill, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaint, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaidis letters. Quhilkis being callit, the saidis Adam Turnbull of Belses, and Hector Turnbull his sone, comperand bayth personalie; and the saidis Johnne Turnbull of Mynto, Walter Turnbull in Firth, Walter Turnbull in Bewlie, Dand Davidsoun in Kamys, Walter Turnbull in Rafflat, and Dand Turnbull in Tronyhill being alsua personalie present,—the said Walter Turnbull in Firth confessit the hurting and wounding of the said Patrik Bennett. Quhairfoir, my Lord Regentis Grace and Lordis of Secreit Counsale, understanding be the said Johnne Turnbull of Myntois awin declaratioun that the said Walter Turnbull of Firth, committar of the said cryme, is his neir freind, kynnisman and dependar upoun him, for quhome in that respect he is bund to answer be the said Act, decernis thairfoir the samyn Act to be contravenit and not observit for the part of the said Johnne Turnbull of Mynto; and attour, ordanis letters to be direct, chargeing the said George Dowglas, youngar of Bonejedburgh, his cautionar, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, the xii day of Marche nix to cum, to heir and Turnbullis.

[1] *Supra*, p. 544.

se him decernit to have incurrit the said pane of ane thowsand pundis contenit in the said Act, to the effect the samyn may be intromettit with and uptakin to our Soverane Lordis use, and deliverit to his Hienes Thesaurare in his Majesteis name as appertening to his Hienes be the lawis of this realme; and siclyke, ordanis the said Walter Turnbull in Firth to be committit to ward within the Tolbuith of Edinburgh, thair to remane upoun his awin expenssis, ay and quhill he mak satisfactioun for his offence as efferis.

James Schaw of Sawchy. Portuous of Pendony.

Anent oure Soverane Lordis letters, rasit at the instance of James Schaw of Sawchy, makand mentioun;—that quhair Alexander Portuous of Pendony,—allegeand that umquhile Thomas Ramsay messinger, in executioun of certane letters, in the moneth of Julii, the yeir of God j^{m}v^{c}lxxiii yeris, wes in the menetyme takin and apprehendit be the said James, the saidis letters reft and takin fra him, and his awin persoun wardit within the place of Sawchy a certane space,—menit him thairupoun to my Lord Regentis Grace and Lordis of Secreit Counsale, and be thair deliverance obtenit letters, chargeing the said James to haif comperit personalie befoir thame at ane certane day bipast, to have answerit to the said complaint, under the pane of rebellioun, lyke as he for allegeit non-comperance purchest utheris letters, quhairwith he causit denunce the said James oure Soverane Lordis rebell and put him to the horne. Albeit it is of veritie that his absence and non-comperance procedit not upoun ony contempt of his Majestie or his said Regent, bot onelie of verie necessitie, it being maist trew that the tyme of the executioun of the said charge upoun him, and a lang space thaireftir, he wes visiit with sieknes and liand bedfast, to the greit dangeare of his lyff, quhairthrow he mycht na wayis travell for satisfeing of the saidis letters. In respect quhairof, and that the said James is now content to compeir befoir the said Regent and Lordis of Secreit Counsale and answer to the said complaint, or quhatsumevir thing can be laid to his charge, and thairupoun hes fund cautioun as efferis; the samyn letters thairfoir and proces of horne contenit thairintill aucht and sould be suspendit simpliciter upoun him in tyme cuming. And anent the charge gevin to the said Alexander Portuous to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand with him the saidis letters of horning, with the saidis utheris letters quhairupoun the samyn procedit, with the executionis and indorsationis thairof, to have bene sene and considerit, and to have hard and sene the samyn and horning contenit thairintill to be suspendit simpliciter upoun the said James in tyme cuming for the caussis foirsaidis; lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The said James Schaw comperand personalie, and the said Alexander Portuous being lauchfullie summondit to this day, oftymes callit and not comperand. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, suspendis the foirsaidis letters, effect thairof and proces of horne contenit thairintill upoun the said James

Schaw in tyme cuming, ay and quhill thay be produceit befoir his Grace and Lordis foirsaidis, and that the said James be warnit to the productioun thairof as efferis.

Laws and orders forbidding the eating of flesh in Lentern ineffective through the "troubles" and the "insolence" and "delicacy" of sundry folks. Prohibition renewed. Period from the 24th February till 7th July.[1] None to eat flesh in Lent.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne Johnnestoun of that Ilk, upoun Johnne Lord Maxwell Wardane of the West Marches of this realme, tuicheing the wrangus fyling of Jok Irwing of the Steilhill, servand to the said Johnne Johnnstoun, at the last day of Marche, haldin at Graitnokirk, in ane inglis bill sutit be Glasteris, Inglisman, extending to the sowme of sevintene pund sterling as principall, lyke as at mair lenth is contenit in the said complaint. The said Johnne Johnnestoun comperand personalie with the said Jok Irwing his servand, and the said Johnne Lord Maxwell being alsua personalie present,—quha allegeit that the said Jok Irwing wes foull of the said bill, and for tryell thairof offerit to produce ane quittance of sex personis or within, befoir my Lord Regentis Grace and Lordis of Secreit Counsale quhat day thay wald appoint; protesting alwayis that in cais he wer newlie fylit in the said bill, that he mycht suffer for his demerittis, conforme to the lawis and practik of the Bordour observit in sic caissis. My Lord Regentis Grace, with avise of the saidis Lordis, assignis to the said Johnne Lord Maxwell the tent day of Marche nix to cum, to produce the saidis personis appointit for the saidis acquittance befoir his Grace and Lordis foirsaidis; and ordanis him to have letters to charge thame to compeir the samyn day, to answer to sic thingis as salbe inquirit of thame anent the tryell and purgatioun of the said Jok Irwing, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne; bayth the saidis partiis warnit heirto apud acta. Jok Irving. Lord Maxwell.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Robert Dalyell of that Ilk, Cristiane Dalyell Lady Covingtoun, and James Lindesay in Auchintagairt, upoun Willlame Creichtoun tutour of Sanquhair, tuicheing the umbesetting of thair gait within the toun of Sanquhar in the moneth of October last bipast, and stopping thame to cum to the kirk of Sanquhair, besydis the invasioun of the said James Lindesay for his slauchter contrair the tennour of ane act registrat in the bukis of Secreit Counsale,—lyke as at mair lenth is contenit in the said complaint. The said James Lindesay comperand personalie for himself and in name of the said Robert Dalyell and Cristiane Dalyell his moder, and the said Williame Creichtoun being alsua personalie present. My Lord Regentis Grace, with avise of the saidis Lordis, admittis the said Lard of Dalzell. Tutour of Sanquhar.

[1] See pp. 337, 431.

complaint to the saidis complenaris probatioun, and for preving thairof, assignis to thame the xix day of Marche nix to cum, and ordanis thame to have letters to summond sic witnessis as thay will use for preving of the same agane the said day, under the pane of rebeilioun, etc., with certificatioun, etc., and in the menetyme continewis, etc., bayth the saidis partiis warnit heirto apud acta.

Tutour of Sanquhair.

[Complaint by Williame Creichtoun tutor of Sanquhair against James Lindesay son of Cristiane Dalzell Lady Covingtoun, for coming before his lodging and provoking him to come forth that they might execute their cruelty upon him. My Lords assign 19th March for proving the complaint.]

[Holyrood House, 22d February.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Colinus Comes Ergadie. Allanus Dominus Cathcart. Georgius Episcopus Moraviensis. Adam Episcopus Orchadensis. Magister Willelmus Baillie Dominus Provand. Advocatus.

Decree against the Constable of Dundee and the Laird of Caddell.

[Johnne Campbell of Caddell and James Scrymgeour of Dudope constable became obliged, by an Act of Council, dated 9th July 1575, to enter Alexander Ross of Balnagowne before the Council, and that he would keep good rule];[1] nochtwithstanding the quhilk Act, the said Alexander hes not behavit him self as oure Soverane Lordis dewtifull subject, in sa far as he hes wilfullie past to the horne and remanit thairat sen the xvii day of Julii last bipast, for non-payment to Williame Wauch of the sowme of ane hundrith and fifty four pundis; and for non fulfilling of divers pointis, articles and claussis contenit in ane contract maid betuix him and the said Alexander, as the letters direct thairupoun rasit at the instance of the said Williame, with the executionis and indorsationis of the samyn, schawin and produceit afoir my Lord Regentis Grace and Lordis of Prevy Counsale, at mair lenth proportis. And anent the charge gevin to the said Johnne Campbell and James Scrymgeour cautionaris abonewrittin, to have enterit and presentit the said Alexander Ross befoir the said Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to the effect ordour mycht haif bene takin with him anent his contemptioun and rebellioun as appertenit, eftir the forme and tennour of the said Act, and under the pane of ten thowsand pundis contenit thairintill; with certificatioun to the saidis cautionaris and thay failyeit, thay sould be decernit to have incurrit the said pane, and letters of horning or poinding and distrenyeing of the reddiest of thair landis gudis, and geir conjunctlie and severalie, sould be direct aganis thame for payment of the samyn to the Thesaurare in our Soverane Lordis name in forme as efferit; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being divers tymes callit, and the saidis Johnne Campbell and

[1] *Supra*, p. 457.

James Scrymgeour not comperand, nor yit the said Alexander Ross being enterit and presentit, conforme to the said charge. My Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, decernis the saidis Johnne Campbell and James Scrymgeour to have incurrit the said pane of ten thowsand pundis; and ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, arreist, appryis, compell, poind, and distrenye the saidis cautionaris, conjunctlie or severalie, thair reddiest gudis and geir; and failyeing of thair movabill gudis, to appryis thair landis, conforme to the Act of Parliament, to the avale and quantitie of the said sowme, and mak our Soverane Lordis Thesaurare in his Hienes name to be payit thairof for the caussis foirsaidis.

[Edinburgh, 23d February.]

Be it kend till all men be thir present letters, me, Laurence Bruce of Cultemalindy: That forsamekill it hes plesit the rycht nobill and michtie Lord, James Erll of Mortoun Lord of Dalkeyth, Regent to our Soverane Lord, his realme and liegis, and Greit Admirall of Scotland, to mak and constitute me his Admirall depute within the boundis of Orknay and Zeitland, portis, havynnis, creikis and utheris boundis within the same induring his Graces will; and further, quhill he lauchfullie discharge the commissioun grantit to me thairupoun, as the samyn commissioun at mair lenth proportis; thairfoir to be bundin and obleist, and be the tennour heirof bindis and obleissis me and my airis to administrat the said office of Admiralitie depute trewlie and dewtifullie, alsweill in civile as criminall caussis, to the service of our Soverane Lord and his liegis, and for the releif of the said Lord Regent and Admirall, his airis and assignayis, swa that in cais ony wrang be way of deid, or ony inordinat proces be done led or usit be me or my servandis and officiaris quhairwith all the said Lord Regent Admirall or his airis may be chargeit or troublit, I and my airis sall releif and keip thame skaythles of the same. And als we sall mak just compt, reknyng and payment to the said Lord Regent, his airis, assignayis, and successouris, of all commoditeis and proffeittis quhilkis I sal happin to ressave and intromet with be ressoun of the said office of deputrie abone-writtin, every yeir anys, but fraude or gyle. And heirto I obleisis me and my airis in the straitest forme and sicker style of obligatioun that can be divisit or maid, na remeid nor exceptioun of law to be proponit or allegeit in the contrair, renunceand the same for me and my airis and successouris for evir. Attour, I am content and consentis that this my obligatioun be actit and registrat in the bukis of Secreit Counsale, to haif the strenth of ane Act and decreit of the Lordis thairof, and that letters and executoriallis be direct thairupoun in forme as efferis. In witnes of the quhilk thing I haif subscrivit this present band and obligatioun with my hand at Haliruidhous, the xxiii day of Februare, the yeir of God j^{m}v^{c}lxxvi yeris, befoir thir witnessis: Maister Johnne Provand Provest of Abirnethy, Alexander Hay, Johnne Andro, and Williame Wylie writtaris, with utheris diverse. Sic subscribitur: L. Bruce of Cultemalindies.

[Holyrood House, 26th February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Colinus Comes Ergadie. Allanus Dominus de Cathcart. Georgius Episcopus Moraviensis. Adam Episcopus Orchadensis. Magister Willelmus Baillie Dominus Provand. Marcus Commendatare de Newbottill. Robertus Commendatarius de Dunfermling. Advocatus.

Cranstoun of Crosby: Cranstoun of Thirlstane Manys.

Anent oure Soverane Lordis letters rasit at the instance of George Cranstoun of Crosby, makand mentioun.—That quhair Cuthbert Cranstoun of Thirlstane Manis, and Johnne Cranstoun of Moreistoun his sone, allegeing thame to have rycht to the teind schaves of the Manis of Corsby, liand within the parrochyn of Lidgertwod, usit inhibitioun thairupoun of the crop last bipast, in this instant yeir of God j^{m}v^{c}lxxvi yeris; the said George willing to answer and mak payment of the saidis teind schaves, and to the effect that just and tymous teinding mycht be had thairof in dew tyme, he be himself and his procuratour in his name dewlie and lauchfullie requirit the said Cuthbert to send and teind the cornis of the saidis complenaris manis foirsaidis, and to ressave the teind schaves thairof; quha eftir divers lauchfull inquisitionis alluterlie refusit to teind or caus teind the saidis complenaris cornis, as auttentik instrumentis takin thairupoun proportis. And seing his refusall and the said Georgis cornis in point of tinsell, and ane part thairof perishit and consumit throw tempest and vehemencie of the weddir, he thaireftir causit certane honest newtrall men to pas and justlie teind the cornis of the said Manys, and eftir just teinding thairof, causit leid, collect, and stak the samyn togidder on the ground quhair the samyn grew, and big and dyke thairabout. And albeit the said Cuthbert hes bene divers tymes requirit to accept the saidis teindis justlie teindit and stakkit as said is, he hes allutirlie refusit to ressave the samyn, as instrumentis tane upoun his refusall beris, quhairthrow in his defalt the saidis cornis standis subject to dangeare throw non keping and handilling thairof; and he and the said Johnne his sone intendis to let the samyn spill and consume, and without ony just ground to bring on spuilye and inconvenient on the said George, contrair all equitie ressoun and gude conscience, to his greit apperand hurt, and to his further hurt and skayth in tyme cuming, be refusall to teind his cornis in dew tyme, without remeid be providit heirin. And anent the charge gevin to the saidis Cuthbert Cranstoun and Johnne Cranstoun his sone, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale, at ane certane day bipast, to answer to the said complaint, and to heir and se sic ressonabill ordour takin thairintill as appertenit, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, utheris letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The said George Cranstoun comperand personalie, with Maister Johnne Scharp his prelocutour, and the saidis Cuthbert Cranstoun and Johnne Cranstoun his sone being alsua personalie present,

with Maister Thomas Craig thair prelocutour, quha in presens of my Lord Regentis Grace and Lordis of Secreit Counsale renunceit and dischargeit all actioun of spuilye, quhilkis thay ony wayis may haif aganis the said George Cranstoun, be vertew of inhibitioun or utherwayis, for the saidis teind schaves of the Manys of Corsby, of this last crop and yeir of God j^{m}v^{c}lxxvi yeris,—becaus thair wes ane contract allegeit maid betuix the said Cuthbert Cranstoun on that ane part and umquhile Johnne Cranstoun of Corsby on that uther part, anent the saidis teind schaves and the toun and landis of the Doddis; quhilk renunciatioun and discharge the said George Cranstoun acceptit, and thairupoun askit act and instrument, protesting alwayis that he assurit na sic contract as the said Maister Thomas allegeit to be betuix the said Cuthbert Cranstoun and the said umquhile Johnne.

[Mr. Andro Abircrumby servitor of Johnne Earl of Atholl presented in his master's name Allister Dow M^{c}Allane V^{c}Ewin Camroun and Johnne Cam his brother, and also produced letters raised by the brothers and other friends of the late Donald Dow M^{c}Kewin, by which the said Allister and Johnne were denounced for the slaughter of the late Donald.]

[Holyrood House, 1st March.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Colinus Comes Ergadie. Joannes Comes de Buchane. Laurentius Dominus Oliphant. Allanus Dominus Cathcart. Adam Episcopus Orchadensis. Georgius Episcopus Moraviensis. Alexander Episcopus Brechinensis. Dunfermling. Newbottill. Presidens. Quhittinghame. Advocatus.

Dekynnis of Craftis of Edinburgh.

Bailles of Edinburgh.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be the nychtbouris craftismen of Edinburgh, alsweill burgessis as gild brethir beand of the craftis, upoun the Provest, Baillies, and Counsale of the said burgh, tuicheing the refuis maid be thame to ressave Henry Blyth chirurgiane and burges of the said burgh in gildbrother, according to ane act and ordinance maid be the saidis Provest, Baillies, Dene of Gild, Counsale and Dekynnis of Craftis of the said burgh; lyke as at mair lenth is contenit in the said complaint. The saidis complenaris comperand personalie, with Maister David Makgill thair prelocutour, and the saidis Provest, Baillies, and Counsall being alsua personalie present, with Maisteris Johnne Scharp and Edmond Hay thair prelocutouris. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis the saidis Provest, Baillies, and Counsale, to convene upoun the sext day of Marche instant, and according to the ordour observit in tymes past, to try quhidder the said Henry Blyith be worthy or not to be ressavit in gildbrother, and to report thair declaratioun and determinatioun thairanent to my Lord Regentis Grace and Lordis of Secreit Counsale upoun the xii day of the samyn, that forder ordour may be takin heiranent as appertenis; with certificatioun to thame and thay failye, his Grace,

with avise of the saidis Lordis, will proceid and minister justice, according to the desire of the said complaint and justice.

[Edinburgh, 2d March.] Proclamation for releif of Abirbrothok.

Forsamekill as the Regentis Grace is informit of the lait troublis and convocatioun attemptit aganis Johnne Commendatare of Abirbrothok in his ryding throw Fyff upoun the secund day of Marche instant, quhilk yit contineuis, tending to further inquietatioun and brek in the cuntre; for remeid and stancheing quhairof his Grace intendis in propir persoun to repair to Fyff upoun the fyft day of Marche instant, quhair it is neidfull that he be weill and substantiouslie accumpaneit. Thairfoir ordanis letters to be direct to officiaris of armes, chargeing thame to pas to the marcat croces of Edinburgh, Linlythquow, Haddingtoun, Kingorne, and Cowpar in Fyff, and thair be oppin proclamatioun to command and charge all and sindry our Soverane Lordis liegis dwelland within the boundis of the Sherefdomes of Edinburgh Principall, and within the Constabularie of Haddingtoun, Linlythquow, and Fyff, betuix sextie and sextene yeris,—alsweill dwelland to burgh as to land, within regalitie as ryaltie,—that thay and every ane of thame weill bodin in feir of weir, with xlviii houris victuallis and provisioun, addres thame to meit the Regentis Grace; that is to say the inhabitantis of Lowthiane at Kingorne, upoun Twysday the fyft day of Marche instant, be ten houris afoir none; and the inhabitantis within the sherefdome of Fyff to meit his Grace the same day at Cowper, be xii houris afoir none,—to pas furthwart and accumpany his Grace as thay salbe commandit for quieting of the saidis troublis, under the pane of tinsell of lyff, landis and gudis.

[Edinburgh, 5th March.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Colinus Comes Ergadie. Comes de Buchane. Georgius Dominus Seytoun. Robertus Commendatarius de Dunfermling Secretarius. Marcus Commendatarius de Newbottill. Presidens. Quhittinghame. Clericus Registri.

Contract anent the Cunye.

At Edinburgh, the fyft day of Marche, the yeir of God j^{m}v^{c}lxxvi yeris, it is appointit, aggreit, and finalie contractit betuix the rycht nobill and michtie Lord, James Erll of Mortoun Lord of Dalkeyth, Regent to our Soverane Lord his realme and liegis, in his Hienes name on that ane part; Johnne Achesoun maister of his Hienes cunye on the uther part; and Abraham Petersoun, Flemyng, on the thrid part, in maner, forme, and effect as eftir followis; that is to say, the said Johnne sall ressave all silver that salbe deliverit to him of quhatsumevir fynnes, and sall deliver the samyn to the said Abraham Petersoun, with the allay thairto, to be reduceit to the fynnes of aucht deneiris; and the said Abraham having ressavit the said silver, sall melt the samyn and reduce it to the said fynnes of aucht deneiris, quhilkis being meltit sall deliver the samyn to the forgearis to be forgeit on the said Johnnes expenssis; and thaireftir the said Abraham sall

ressave the said silver forgeit, quhilk he sall alsua builye ready in all thingis to the prenting, and salbe answerabill to oure Soverane Lord and his said Regent for the remedis of the fynnes; taking in his awin hand and uponn his awin chargeis all that is abuiff the just fynnes; and for his recompance he to haif half ane grane of remeid under the said fynnes of aucht deneiris, for the quhilk he sall not be chargeit nor comptabill, bot gif it be under the half grane, and yit within the haill grane, the said Abraham salbe comptabill to the King for the haill grane; and in cais be assay the silver meltit salbe found under the said fynnes of ane haill grane of remeid (as God forbid), the haill swa fundin to be cuttit doun be the Wardanis without ony allowance of chargeis to the said Abraham for melting and builyeing thairof, bot the said Abraham to be haldin to refound, content and pay to the said Johnne for all expenssis and inlaikis maid and sustenit be him in the forgeing and prenting of the werk cuttit doun; and for the twa grains of remeid of wecht, the said Johnne Achesoun sall tak the lois upoun his awin chargeis of samekill as salbe found havy abuif the just wecht; and sa mekill as salbe found licht within the remeidis of twa granis of wecht contenit in the Act of Parliament maid thairanent, the said Johnne sall pay the samyn to our Soverane Lord or his said Regent, as he salbe requirit at his Hienes gude will and pleasour, according to the Wardanis bukis, monethlie or yeirlie, providing that the assayis contenit thairin be deliverit to the said Johnne as his dew; and the said silver swa reduceit to aucht deneiris fyne, the said Johnne Achesoun maister cunyeour foirsaid sall caus forge and imprent in half merk and fourty penny pecis, according to the said Act of Parliament, and sall deliver agane in cunyeit money to our Soverane Lord or his said Regent, the haill stock and proffeit of quhatsumevir silver ressavit in thair names; and to all marchantis furnissers quhatsumevir, the haill stock according to the ordinance to be maid be his Grace to the said Johnne thairupoun, being comptabill alwayis to his Hienes for the haill proffeit thairof, deduceing for the laubour of the cunyeing allay and all uther expenssis quhatsumevir fyve schillingis money of this realme of ilk merk cunyeit money; and the said Johnne sall content and pay to the said Abraham for ilk merk of the said cunyeit money that salbe meltit, builyeit, and maid reddy to the prenting be him as said is, twa deneiris wecht of the said fynnes, and sall furneis him all sic werklumis and uther necessaris as the said Johnne hes presentlie in his handis of oure Soverane Lordis to that effect; and the said Johnne sall pay the forgearis and prentaris himself as he and thay can aggre; and as towart the gold, the said Johnne sall ressave all gold of quhatsumevir fynnes, and deliver the samyn to the said Abrahame to be reduceit to the fynnes of xxii carrettis or xxii carrettis and ane half, as sall pleis oure Soverane Lord and his said Regent to appoint; quhilk being reduceit, sall deliver the samyn to the forgearis to be forgeit on the said Johnnes expenssis; and thaireftir the said Abrahame sall ressave the said gold forgeit, quhilk he sall alsua builye reddy in all thingis to the prenting, and salbe answerabill to our Soverane Lord and his said Regent for the

remeidis of the fynnes, taking in his awin hand and upoun his chargeis all that is abuif the just fynnes; and for his recompence he to haif half ane grane of remeid under the said fynnes of xxii carrettis or xxii carrettis and ane half, quhilkis of the saidis beis appointit, for the quhilk he sall not be chargeit nor comptabill; but if it be under the half grane and yit within the haill grane, the said Abraham salbe comptabill to the King for the haill grane; and in cais be assay the gold meltit salbe found under the said fynnes of ane haill grane of remeid (as God forbid), the haill swa found to be cuttit doun be the wardanis, without ony allowance of chargeis to the said Abraham for melting and builyeing thairof, bot he in cais it be in his defalt, to be haldin to refound content and pay to the said Johnne for all expenssis and inlakis maid and sustenit be him in forgeing and prenting of the said werk cuttit doun, and for the twa granis of remeid of wecht—upoun ilk pece contening ane unce wecht and of the half and quarter pecis eftir the rait of the haill—the said Johnne Achesoun sall tak the lois upoun his awin chargeis of samekill as salbe found havy abuif the just wecht, and samekill as salbe found lycht within the remedis of twa granis contenit in the Act of Parliament maid thairanent, the said Johnne sall pay the samyn to our Soverane Lord or his said Regent as he salbe requirit at his Hienes gude will and pleasour, according to the wardanis bukis, at the oppyning of the boxis yeirlie; providing that the assayis contenit thairin be deliverit to the said Johnne as his dew, and the said gold swa reduceit to xxii carrettis—or xxii carrettis and ane half as salbe appointit as said is,—the said Johnne Achesoun maister cunyeour foirsaid sall caus forge and imprent in twenty, ten and fyve pund pecis according to the Act maid thairupoun; and sall deliver agane to oure Soverane Lord or his said Regent, in cunyeit gold, the haill stok and proffeit of quhatsumevir gold ressavit in thair names, and to all marchantis furnisseris quhatsumevir thair haill stock, according to the ordinance to be maid be his Grace to the said Johnne thairupoun, being comptabill alwayis to his Hienes for the haill proffeit thairof, deduceing for the labour of the cunyeing allay and all uther expenssis quhatsumevir, of ilk unce cunyeit gold twa schillingis, quhairof the said Johnne sall pay to the said Abraham sall tak for thair panis of assayning and passing the samyn the irnis alsmekill proffeit as thay and the inbringaris of the said gold can ressonablie aggre upoun or salbe specialie appointit heireftir, or taking alsmekill fyne gold abuif the ordinar fynnes as to allay it that is within the samyn in the melting. And forder, the said Abraham is content that the inlaikis of wecht betuix that quhilk he sall ressave frome the said Johnne and deliver agane to be prentit ayther of gold or silver, togidder with the expenssis and inlaikis maid and sustenit be the said Johnne in forgeing and prenting of ony werk that happynnis to be cuttit doun in the said Abrahamis default, salbe defalkit and allowit be the said Johnne to him in the first end of the dewitie abonewrittin appointit to be payit to him for his panis and laubouris; and for the gold of the mynis the said Johnne sal ressave the samyn unmeltit, and sall deliver it to the said Abrahame, quhilk he sall

fyne to the foirsaid fynnes, deduceing onelie for his panis sex schillingis for the merk wecht, and for the inlaikis and chargeis auchtene granis of ilk unce thairof; and the samyn being sa fynit, the said Johnne sall deliver the haill unce prentit as is abonewrittin in cunyeit money to our said Soverane Lord and his said Regent for twa schillingis onelie of ilk unce for his laubour to be rebaitit; and the present contract and appointment to induir quhill it be dischargeit be ony of the partiis on fourty dayis warning. Attour, the said Lord Regent and the said Johnne Achesoun and Abraham Petersoun ar content and consentis that this present contract be actit and registrat in the bukis of Secreit Counsale, to have the strenth of ane Act and decreit of the Lordis thairof, and that letters and executoriallis be direct thairupoun in forme as efferis. In witnes of the quhilk thing thay haif subscrivit the samyn contract with thair handis as followis, day, yeir, and place foirsaidis, befoir thir witnessis: Archibald Naper of Edinbilly knycht, Alexander Jarden, Alexander Hay, and Williame Wylie, writtaris, servandis to the Regentis Grace, with utheris diverse. Sic subscribitur: James Regent. Johnne Achesoun. Abraham Petersson.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Colinus Comes Ergadie. Comes de Buchane. Joannes Comes de Montrois. Joannes Dominus Maxwell. Magister de Forbes. Georgius Episcopus Moraviensis. Adam Episcopus Orchadensis. Dunfermling. Presidens. Clericus Registri. Advocatus. [Holyrood House, 12th March.]

[Under the order of the Privy Council on the complaint of the crafts of Edinburgh against the Bailies and Council of the burgh for refusing to receive Henry Blyith "chirurgiane" as guildbrother.[1]] The saidis Provest, Baillies, and Counsale comperand personalie this day with thair prelocutouris,—Maisteris Johnne Scharp and Edmond Hay,—produceit ane Act maid be thame declaring that thay, according to the said Act maid by my Lord Regentis Grace and Lordis foirsaidis, convenit to the tryell of the worthines of the said Henry Blyith, and that thay had fund, declarit and determinat that he wes and is unworthy to be admittit in gildbrother for divers ressonis and caussis mentionat in the said Act, as the samyn, of the dait at Edinburgh, the viii day of Marche instant, at mair lenth proportis. Quhilkis being red, sene and considerit be the said Lord Regentis Grace and Lordis foirsaidis, it wes fund that the declaratioun and answer mentionat in the said Act produceit be the saidis Baillies and Counsale na wayis satisfiis the Act and ordinance maid be his Grace, with avise of the saidis Lordis; and thairfoir that the said Henry sould not be stoppit to be ressavit in gildbrother, except thay wald schaw sum ressonabill caus in the contrair. Quhairfoir it wes forder allegeit be the said Maister Johnne Scharp in name of the saidis defendaris, that the said Act allegeit maid be the saidis Provest, Baillies, Dene of Gild, Counsale, and Dekynnis of Craftis of the said burgh, wes and is fals, Crafts of Edinburgh.

[1] *Supra*, p. 597.

fenyeit and disconforme to the originall register; and speciallie in the maist substantiall pointis thairof, and offerit thame to impreif the samyn as efferit. Quhilk allegeance, with divers utheris the ressonis and allegationis of bayth the saidis partiis, being hard and considerit.—My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, admittis the saidis Baillies and Counsale to impreve the said Act, and remittis the tryell of the said improbatioun to the Lordis of Counsall and Sessioun, to be tryit and discussit as accordis of the law; and ordanis thame to gif in the forme of improbatioun befoir the saidis Lordis upoun the xv day of Marche instant, and in the menetyme continewis the principall caus abonewrittin in the same forme force and effect as it is now, but prejudice of partie, quhill the end and decisioun of the said improbatioun.

M°Ke of Mertoun. Allane Cathcart.

Anent oure Soverane Lordis letters rasit at the instance of Archibald M°Kie of Mertoun, makand mentioun.—That quhair Allane Cathcart of Bochtoun,—allegeand the said Archibald to have committit divers herschippis and oppressionis upoun him and his tenentis, besydis the persute of him self for his bodelie harme and slauchter,—purchest letters be deliverance of my Lord Regentis Grace and Lordis of Secreit Counsale, chargeing the said Archibald to have comperit personalie befoir thame at ane certane day bipast, to have answerit to the said complaint, under the pane of rebellioun; lyke as the said Allane for allegeit non-comperance of verie malice hes causit denunce him rebell and put him to the horne, albeit it is of veritie that his absence and not-comperance procedit not upoun ony contempt of our Soverane Lord or his said Regent, bot onelie of verie necessitie; it being of trewth that the tyme of the said charge, and a lang tyme of befoir, the said Archibald wes visiit with seiknes and liand bedfast in greit dangeare of his lyff; quhilk wes declarit to my Lord Regentis Grace and Lordis foirsaidis be productioun of ane testimoniall of umquhile Maister Robert Blinseill, minister for the tyme; albeit thay wald not admit the same without a testificatioun be the said ministeris awin personall presens; quhilk at that tyme he wes not abill to gif be ressoun he wes alsua subject to sum disease, quhairof he schortlie thaireftir deceissit; alwayis the said Archibald hes fundin cautioun for his comperance to answer to the said complaint, or quhatsumevir uther thing can be laid to his charge; in respect quhairof, the saidis letters and proces of horne contenit thairin, aucht and sould be simpliciter suspendit upoun him in tyme cuming. And anent the charge gevin to the said Allane Cathcart, Williame Lord Ruthven Thesaurer, and Maister David Borthuik of Lochill, advocat to our Soverane Lord for thair interes, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, bringand with thame the foirsaidis letters, with the executionis and indorsationis thairof, togidder with the said complaint quhairupoun the samyn procedit, to be sene and considerit, and to haif hard and sene the saidis letters, effect thairof and proces of horne contenit thairin, simpliciter suspendit upoun the said Archibald in tyme

cuming, for the caussis foirsaidis, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The said Archibald M^{c}Ke comperand personalie, and the said Allane Cathcart, purchessour of the saidis letters of horning, being oftymes callit and not comperand.—My Lord Regentis Grace, with avise of the saidis Lordis, suspendis the saidis letters purchest be the said Allane, effect thairof and proces of horne contenit thairintill upoun the said Archibald in tyme cuming, ay and quhill thay be produceit befoir his Grace and Lordis foirsaidis; and that he be warnit to the productioun of the samyn as efferis.

Anent oure Soverane Lordis letters direct, makand mentioun.—That forsamekill as complaint being maid to my Lord Regentis Grace be Anthony Hanky Inglisman, merchant, indwellar of the Citie of Westchester, upoun Leonard Robertsoun pirat, for the pilleing, spoliatioun, and awaytaking from the said Anthony, furth of his schip callit the Trinitie of Helberie, liand on the river of Chester for the tyme, of ane greit quantitie of Spanyshe wyne and utheris gudis, in the moneth of August, the yeir of God j^{m}v^{c}lxxv yeris, aganis the treateis of peace and gude amytie standing betuix the realmis. Thairfoir my Lord Regentis Grace committit the tryell and cognitioun of the said complaint to Johnne Lord Maxwell Wardane of the West Marches of this realme foranent England, and Johnne Lord Hereis, conjunctlie and severalie; be quhais report and declaratioun of the said Leonard Robertsoun, it is declarit that the personis underwrittin intromettit with the gudis eftir specifiit of the avale and pryces following; that is to say, the said Johnne Lord Maxwell, ane boit of wyne sek, pryce ellevin pundis threttene schillingis four pennyis sterling; the said Johnne Lord Hereis, ane boit of wyne sek, pryce foirsaid; Johnne Gordoun of Lochinvar, ane boit of wyne sek, pryce foirsaid; James Kennedy of Blairquhan, ane boit of wyne sek, pryce foirsaid—and mair, ane caddow, pryce thretty thre schillingis four pennyis sterling; Thomas Makclellane of Bomby, ane boit of wyne sek, pryce ellevin pundis threttene schillingis four pennyis sterling—and mair, twa caddowis, pryce thre pundis sex schillingis aucht pennyis sterling; Sir James Dowglas of Drumlangrig knycht, ane boit of wyne sek, pryce foirsaid; Andro M^{c}Brome, twa boittis of wyne sek, pryce twenty thre pundis sex schillingis aucht pennyis sterling—and mair, twa caddowis, pryce thre pundis sex schillingis aucht pennyis sterling; Robert M^{c}Culloch and Andro M^{c}Culloch his sone, four thowsand scheip skiynnis, pryce thre scoir sex pundis sex schillingis aucht penneis sterling; Johnne Mekill, ane punsioun of salmond, pryce fyve pund sterling—and mair, ane caddow covering, pryce thretty thre schilling four penneis sterling; James Lidderdaill of that Ilk, ane caddow, pryce thretty thre schillingis four pennyis sterling; Maister Richert Balfour persoun of Kilcrist, ane caddow, pryce thretty thre schilling four penneis sterling; Johnne Foster twa caddowis, pryce thre pund sex schillingis aucht pennyis sterling; Johnne Quhitheid ane punsioun salmound, pryce

fyve pund sterling; Williame Adair of Kinhilt, ane caddow, pryce thretty thre schilling four pennyis sterling; Williame Ramsay of Sypland, ane caddow, pryce thretty thre schillingis four pennyis sterling. Quhilkis personis on na wayis will mak payment and deliverance of the pryces of the saidis gudis wranguslie intromettit with and resset be thame to the said Anthony Hanky, without thay be compellit. And anent the charge gevin to the saidis Thomas Maklellane of Bomby, Andro Makbrome, and Robert Makculloch burgessis of Kirkcudbrycht, Williame Quhitheid thair, Johnne Gordoun of Lochinvar, James Kennedy of Blairquhan, Maister Richert Balfour, Johnne Foster, Andro Makculloch, James Lidderdaill of that Ilk, Williame Ramsay of Sypland, and James Dowglas of Drumlangrig knycht, and Johnne Lord Maxwell, to restoir,—mak payment and deliverance of the gudis abone mentionat, or pryces thairof abone specifiit,—to the said Anthony Hanky, within sex dayis nixt eftir the said charge, under the pane of rebellioun and putting of thame to the horne; or ellis to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and schawin ane ressonabill caus quhy thay sould not have done the samyn; with certificatioun to thame and thay failyeit, utheris letters sould be direct chargeing thame simpliciter thairto, or to poind and distrenye thair gudis and geir to the avale and quantitie of the pryces of the gudis abonespecifiit, ilk ane for thair awin part,—lyke as at mair lenth is contenit in the foirsaidis letters, executionis and indorsationis thairof. The said Anthony Hanky comperand personalie, affirmit and grantit that he had ressavit na payment fra the foirsaidis personis of the sowmes abonewrittin, except fra the said Johnne Lord Hereis; and the saidis utheris personis chargeit as said is, being oftymes callit and not comperand.—My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing officiaris of armes to pas, command and charge the saidis Thomas Makclellane of Bomby, Andro Makbrome, and Robert M°Culloch burgessis of Kirkcudbrycht, and Williame Quhytheid thair, Johnne Gordoun of Lochinvar, James Kennedy of Blarquhan, Maister Richert Balfour, Johnne Forster, Andro Makculloch, James Lidderdaill of that Ilk, Williame Ramsay of Sypland, James Dowglas of Drumlangrig, and Johnne Lord Maxwell, yit as of befoir, to restoir, mak payment and deliverance of the gudis abone specifiit, or the pryces thairof abone mentionat, to the said Anthony Hanky, within sex dayis nixt eftir thay be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thay failye thairin, the saidis sex dayis being bipast, to denunce thame rebellis, etc., and to escheit, etc., and gif neid be, to poind and distrenye the foirsaidis personis, thair reddiest gudis and geir, to the avale and quantitie of the pryces of the gudis abone mentionat, and mak the said Anthony to be payit thairof.

Decreet against Bonejedburgh.

[As to the charge gevin to George Douglas younger of Bonjedburgh, cautioner for the good conduct of the Turnbulls, to compear on 12th March next before the Privy Council, and hear him decerned to have incurred

the pain of £1000 for their contravention of the Act of caution.[1] He being diverse tymes called and not compearing, my Lords ordain letters of horning and poinding to be directed against him.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Colinus Comes Ergadie. Joannes Comes de Montrois. Comes de Buchane. Hugo Dominus Somervile. Adam Episcopus Orchadensis. Georgius Episcopus Moraviensis. Alexander Episcopus Brechinensis. Presidens. Dunfermling, Secretarius. Newbottill. Advocatus. Prepositus Dunde. [Holyrood House, 22d March.]

Forsamekill as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsale, that sum occasioun of contraversy and displeasour hes laitlie happynnit betuix Johnne Commendatare of Abirbrothok on the ane part, and Williame Dowglas of Lochlevin on the uther part; quhairupoun convocatioun of oure Soverane Lordis liegis hes bene maid and injureis offerit, to the troubling of the commoun peace and quietnes of the realme, and forder inconvenient liklie to follow gif tymous remeid be not providit; quhilkis being weill weyit and with gude avisement considerit be the said Lord Regentis Grace and Lordis of Secreit Counsale, and thay understanding the apparentis inconvenientis liklie to follow, ordanis thairfoir letters to be direct, chargeing bayth the saidis partiis to compeir be thair Commissionaris, sufficientlie authorizit and instructit be thame, at Haliruidhous, or quhair it sal happin thame to be for the tyme, the xx day of Maii nix to cum, to informe the Regentis Grace and Counsale particularlie of thair greiffis, querrellis and caussis of complaint, and to persew and defend in all and quhatsumevir thingis quhilkis ayther of thame hes to propone aganis utheris—and to underly sic ordour and directioun as salbe imput to thame for the weill and quietnes of the cuntre in tyme cuming; under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, the said day being bipast, letters salbe direct simpliciter to put thame to the horne, and to escheit and inbring all thair movabill gudis, etc. And to the effect that na thing salbe attemptit in the menetyme to hinder the said gude ordour to be takin, to command and charge bayth the saidis partiis, that thay—be thameselffis, thair kin, friendis, servandis, partakaris and dependaris quhilkis thay may lett,—desist, ceise and leif of frome all rasing of troubill, making of convocatioun in armes, or invasioun and persute, ayther of thame utheris, thair kin freindis, servandis partakaris and dependaris, be way of deid; and to subscrive and returne the forme of securitie to be presentit to thame thairupoun, to induir ay and quhill the said ordour be tane, quhairthrow materis may be the bettir and mair quietlie orderit, to the quietnes of the haill cuntre, within xxiiii houris nixt eftir thay and ayther of thame be chargeit thairto, under the pane of rebellioun, etc., and gif thay failye Abirbrothok. Lochlevin.

[1] *Supra*, p. 591 (19th Feb. 1576-7).

thairin, the saidis xxiiii houris being bipast, to denunce, etc., and to escheit, etc.

[Holyrood House, 26th March.]

Sederunt—Jacobus Dominus Regens. Colinus Comes Ergadie. Joannes Comes de Montrois. Comes de Buchane. Comes de Sutherland. Willelmus Dominus Ruthven Thesaurarius. Willelmus Dominus Hay de Yeistir. Adam Episcopus Orchadensis. Commendatarius Dunfermling Secretarius. Commendatarius de Newbottill. Commendatarius de Inchaffray. Presidens. Computorum Rotulator. Advocatus.

Menzeis. Bowmaker.

Anent oure Soverane Lordis letters rasit at the instance of Margaret Menzeis relict of umquhile Johnne Bowmakar of Cindon, moder, Jonet Bowmaker onelie dochter and apperand air of the said umquhile Johnne, and Johnne Menzeis now spous to the said Margaret for his interes, and Edward Menzeis of Foccartoun guidsire to the said Jonet,—makand mentioun.—That quhair the said umquhile Johnne being deceissit, the educatioun, keping and upbringing of the said Jonet, onelie dochter and apperand air foirsaid, pertenis to the said Margaret hir moder; nocht the les Patrik Bowmaker, broder to the said umquhile Johnne, and nerrest to succeid to him in his heretage—in cais of the said Jonettis deceis—without airis of hir body, and Johnne Boyll in Mekill Cumray, at the desire and for the pleasour of the said Patrik,—not onelie kepis and detenis the said Jonet furth of hir moderis handis and keping, bot als haldis hir in strait thraldome and captivitie; thinking gif schö inlaik not be deceis to marie hir to sic ane persoun as will abstract and caus hir dispone hir heretage eftir the mariage to the said Patrik his fader broder, expres aganis all law and gude ordour; and sic ane preparative sould not be permittit in ane commoun weill. And anent the charge gevin to the said Patrik Bowmaker and Johnne Boyll, keparis and detenaris of the said Jonett in thraldome and captivitie as said is, to have exhibit and produceit hir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to haif hard and sene hir decernit to be put to libertie and fredome furth of thair keping, and to haif bene deliverit to the said Margaret Menzeis hir moder, and in hir keping to be brocht up be hir during hir minoritie; or ellis to have schawin ane ressonabill caus quhy the samyn sould not be done; with certificatioun to thame and thay failyeit, the Regentis Grace and Lordis foirsaidis wald decerne, and direct letters simpliciter to put hir to libertie and fredome, lyke as at mair lenth is contenit in the foirsaid letters, executioun and indorsatioun thairof. The saidis complenaris comperand be Edward Menzeis thair procuratour, and the saidis Patrik Bowmaker and Johnne Boyll being oftymes callit and not comperand, nor yit the said Jonet being exhibit and produceit conforme to the said charge. My Lord Regentis Grace thairfoir, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the saidis Patrik

Bowmaker and Johnne Boyll to put the said Jonet Bowmaker to libertie and fredome furth of thair thraldome and keping,—to the effect schö may be brocht up and kepit by the said Margaret Menzeis hir moder in tyme cuming, during hir minoritie,—within thre dayis nixteftir thay be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thay failye thairin, the saidis thre dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit and inbring all thair movabill gudis, etc.

Sederunt—Jacobus Dominus Regens. Colinus Comes Ergadie. Joannes Comes de Montrois. Comes de Buchane. Willelmus Dominus Ruthven Thesaurarius. Adam Episcopus Orchadensis. Dunfermling Secretarius. Clericus Registri. Advocatus. [Holyrood House, 28th March.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne Kyle, smyth in Leyth, Richard and Johnne Kylis his sonnis, makand mentioun.—That quhair upoun certane occasionis movit betuix Williame Forrester, sone to Williame Forrester in Leyth, and the said Johnne Kyle youngar in the moneth of Januare last wes upoun the Linx of Leyth, the said Williame Forrester youngar pat violent handis in the said Johnne Kyle youngar, and brak ane club upoun his heid; and not being contentit thairwith, dalie sensyne being assistit thairto be his said fader, lyis in wait alsweill in the nycht as day for his slauchter, swa that he may not repair to na part of the toun nor utherwayis for feir of his lyff; and for remedie thairof, thay causit charge the said Williame Forrester upoun the xxi day of Marche instant, to have souirtie and lawborrowis within sex dayis, according to the ordour, as the charge thairof will testifie. Nevirtheles, upoun Sonday last wes the xxiiii day of Merche instant, inwith the saidis sex dayis, he and the said Richert his broder, being cumand fra the precheing in Leyth, the said Williame Forrester youngar schot ane dag at thame being chargeit with bullettis, to have slayne thame, and seing, as God wald, that the samyn did nane of thame harme, he come upoun the said Richert with ane drawin quhinyeare to have slayne him thairwith, and for testificatioun thairof cuttit his cloik in sex partis; committand thairthrow ane odious cryme upoun the Sabboth day, and contravenand the Actis maid anent wearing and using of daggis, to thair greit skayth and in hie contemptioun of oure Soverane Lordis authoritie and lawis. And anent the charge gevin to the said Williame Forrester eldar, and Williame Forrester youngar his sone, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to have answerit to the said complaint, and to have hard and sene ordour takin anent the same as appertenit, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be

Johnne Kyle.

Williame Forrester.

direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof. The said Johnne Kyle comperand personalie for himself and his saidis sonnis, and the saidis Williame Forrester eldar and Williame Forrester youngar being oftymes callit and not comperand. My Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to denunce the saidis Williame Forrester eldar and Williame Forrester youngar, etc., and to escheit, etc.

[Holyrood House, 29th March.]

Sederunt—Domini ut in die predicto.

Richert Abircrumby.

Anent oure Soverane Lordis letters at the instance of Richert Abircrumby burges of Edinburgh, makand mentioun.—That quhair he hes the landis of Poltoun, liand within the Sherefdome of Edinburgh, pertening to him heretablie, quhairof he hes bene in peciabill possessioun sen Witsonday last, quhill laitlie, eftir that he had sawin ane greit part of his ait seid thairon, and had four hors harrowand the samyn upoun Settirday last bipast, the xxiiii day of Marche instant,—loukand for na troubill nor oppressioun namelie in this cuntre sa neir the sait of justice, and withiu ane myle to the Regentis Grace hous of Dalkeyth, his awin persoun being in Haliruidhous, not onelie occupying oure Soverane Lordis place in the regiment of this realme, bot in particular being Sheref Principall and ordinar Magistrate in the said Sherefdome. Nevirtheles James Borthuik sumtyme of Collelaw, standand forfaltit as the said Richert is informit, Adam Gairdner sone to the Laird of Weitland, and Johnne Diksoun, hous-

Dalhoussy.

hald servandis to George Ramsay of Dalhoussy, past furth of his awin place of Dalhoussy, of his causing command assistance ressett and ratihabitioun, and eftir he had spyit the said Richertis four hors in the harrowis upoun his saidis landis be Nicholl Gibsoun, the saidis personis come and with thair drawin swerdis hocht and stickit the saidis four horssis, and for the greittar dispyte cuttit the heid of the best of thame fra the body, and left thame lyand deid on the ground; and swa departit and returnit agane in the eftir none the same day to the place of Dalhoussy, quhair, as the said Richert is crediblie informit, thay wer ressett; howbeit the said unworthy oppressioun is meanit to be concelit, cloikit and worne up, and that it sall not be gottin verifiit nowther aganis the authouris nor aganis the said George resettar of thame and houndar and fortifear of thame to the doing thairof, without my Lord Regentis Grace caus the said mater to be summarlie tryit befoir himself and Lordis of the Previe Counsall. And anent the charge gevin to the said George Ramsay of Dalhoussy, James Borthuik sumtyme of Collelaw, Adam Gardner, Johnne Diksoun and Nicholl Gibsoun, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to sic thingis as sould haif bene requirit of thame, tuicheing the tryell of the said odious and unworthy opressioun, that his Grace and Lordis foirsaidis being informit of the trewth mycht the bettir resolve how

the offendouris sould be puneist, the said Richertis skayth redressit and suirtie maid that he sould not be oppressit in sic schamefull and unworthy maner heireftir, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, utheris letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The said Richert Abircrumby comperand personalie, and the saidis George Ramsay and Johnne Diksoun being alsua personalie present, and the saidis James Borthuik, Adam Gardner, and Nicholl Gibsoun, being oftymes callit and not comperand.—My Lord Regentis Grace thairfoir, with avise of the saidis Lordis, ordanis letters to be direct to officaris of armes, chargeing thame to pas and denunce the saidis James Borthuik, Adam Gardner, and Nicholl Gibsoun, etc., and to escheit, etc.

[Dalkeith, 24th April.] Act anent transporting of victuallis.

[On the dearth in adjacent countries and the increase of last year's crop in Scotland, license granted to export a reasonable quantity of wheat and beir for the relief.[1]] Nochtwithstanding the quhilk, and of divers lovabill Actis of Parliament appointand all schippis to lois and laid at fre burrowis, and thair ressave thair cokquettis, yit sindry personis, purchessaris and obtenaris of the saidis licences, hes coft and intendis to transport far greittar quantitie of victuallis nor is contenit in the saidis licencis; and to defraude the tryell of the just quantitie, and our Soverane Lord of his dew custumes, laidis the saidis victuallis upoun the streame and in creikis and burnis within the riveris of Forth and Tay, and sic uther unlauchfull places fra the portis of fre burrowis, in greit contempt and prejudice of our Soverane Lordis custumis, and hurt of the commoun weill gif tymous remeid be not providit. Thairfoir ordanis letters to be direct, chargeing all and sindry the purchessaris of the saidis licencis, thair factouris or attornayis, and the maisteris and skipparis of the schippis frauchtit for transporting of the saidis victuallis, that thay laid and tak in the quantitie onelie contenit in the saidis licencis, at the portis and schoris of fre burròwis, and on na wayis on the streame or uther prevat partis, specialie within the watter of Tay, at the port of Dunde, in the eist part of Fyff at Sanctandrois or Craill, and in uther partis alwayis at the portis of fre burrowis, eftir the forme and tennour of the said Act, and under the panis contenit in the same; and gif ony sould presume to do in the contrair, that the saidis custumaris and sercheouris arreist the schippis and victuallis, tak the saillis fra the raise, and conduct thame to remane and abyde at the saidis portis of fre burrowis quhill tryell be takin gif thay haif transgressit the said Act, and incurrit the panis contenit thairin or not, and that the saidis custumaris and sercheouris tak diligent inquisitioun that na greittar quantitie of victuallis be transportit, under cullour of the licencis foirsaidis, nor the same licencis proportis, as thay will answer upoun the dewitie of thair offices at thair hieast charge and perrell.

[1] *Supra*, p. 588 (14th Feb. 1576-7.)

Caution for Burnfeild of Grenelawdene.

The quhilk day, Johnne Burnfeild tutour of Grenelawdene as principall, and Maister Thomas Lyoun of , and Sir James Hume of Coldenknowis knycht, as cautionaris and souirteis for him, become actit and obleist, conjunctlie and severalie, as eftir followis: That is to say, that the said Johnne Burnfeild be himself, his brethir, thair bairnis and haill branche cum of the houssis of Tenendrie and Grenelawdene, thair men, tenentis and servandis,—except Stevin Burnfeild, Thomas Burnfeild, Adam Burnfeild, Williame Burnfeild, and Alexander Burnfeild, sonnis of umquhile Thomas Burnfeild, broder to umquhile Stevin Burnfeild of Grenelawdene,—sall behave thame selffis as dewtifull and obedient subjectis to our Soverane Lord, his Regent, authoritie, and Wardane in tyme cuming, that thay sall observe and keip his Hienes peace, quietnes, and gude rewle in the cuntre; and sall on na wayis invade, persew, molest, or troubill the suirname of Haitleis or thair partakaris utherwayis nor be ordour of law and justice, under the pane of twa thowsand pundis. And als that the said Johnne be himself, his brethir and utheris foirsaidis, sall not ressett, supple nor intercommoun with the saidis Stevin Burnfeild, Thomas Burnfeild, Adam Burnfeild, Williame Burnfeild, and Alexander Burnfeild, nor with Alexander Burnfeild, and Patrik Burnfeild, brethir sonnis to James Burnfeild of Quhythous, and George Burnfeild his sone naturall, nor furneis thame meit, drink, hous or herbry in tyme cuming, under the pane foirsaid. And attour, in cais that thay, or ony of thame, sal happin to be hurt, slayne, or mutilat be the Haitleis or ony utheris oure Soverane Lordis liegis in tyme cuming, that it salbe repute na cryme nor offence be the said Johnne, his brethir and utheris foirsaidis, nor thay nor nane of thame sall beir querrell, deidlie feid, or use revenge thairfoir siclyke, under the pane foirsaid. And in lykewayis that in cais ony of thame heireftir contravene this band and provisioun contenit thairintill, the committar of the said attemptat salbe enterit befoir oure Soverane Lord, his Regent and Prevy Counsall, quhair thay sal happin to be for the tyme, upoun ten dayis warning, to answer to sic thingis as salbe laid to his charge, under the pane abone mentionat. And the said Johnne Burnfeild obleist him and his airis, to warrand and releif his saidis cautionaris of the premissis, and of all pane and dangeare that thay sal happin to sustene thairthrow. Sic subscribitur: Sir James Hume. Johnne Burnfeild.

Caution for Burnfeild of Pittillishewch.

The quhilk day, James Burnfeild of Pittillishewch as principall, and Maister Thomas Lyoun of and Sir James Hume of Coldenknowis knycht, as cautionaris and souirteis for him, become actit and obleist, conjunctlie and severalie, as eftir followis: That is to say, that the said James Burnfeild be himself, his brethir, thair bairnis and haill branche cum of the hous of Pittillishewch, thair men, tenentis and servandis, sall behave thame selffis as dewtifull and obedient subjectis to oure Soverane Lord, his Regent, authoritie, and Wardane in tyme cuming; that thay sall observe and keip his Hienes peace, quietnes, and gude rewle in the cuntre, and sall on na wayis invade, persew, molest, or troubill the suirname of

Haitleis or thair partakaris utherwayis nor be ordour of law and justice, under the pane of ane thowsand pundis. And als that the said James Burnfeild be himself, his brethir and utheris foirsaidis, sall not ressett, supple nor intercommoun with Stevin Burnfeild, Thomas Burnfeild, Adam Burnfeild, Williame Burnfeild, and Alexander Burnfeild, sonnis of umquhile Thomas Burnfeild, broder to umquhile Stevin Burnfeild of Grenelawdene, nor with Alexander Burnfeild and Patrik Burnfeild, brethir sonnis to the said James Burnfeild of Quhythous, and George Burnfeild his sone naturall, nor furneis thame meit, drink, hous or herbry in tyme cuming, under the pane foirsaid. And attour, in cais thay or ony of thame sal happin to be hurt, slayne, or mutilat be the Haitleis or ony utheris our Soverane Lordis liegis in tyme cuming, that it salbe repute na cryme nor offence be the said James Burnfeild, his brethir and utheris foirsaidis, nor thay nor nane of thame sall beir querrell, deidlie feid, or use revenge thairfoir siclyke under the pane abonewrittin. And in likewyis that in cais ony of thame heireftir contravene this band and provisioun contenit thairintill, the committar of the said attemptat salbe enterit befoir oure Soverane Lord, his Regent and Prevy Counsale, quhair thay sal happin to be for the tyme, upoun ten dayis warning, to answer to sic thingis as salbe laid to his charge, under the pane abone mentionat. And the said James Burnfeild obleist him and his airis to warrand and releif his saidis cautionaris of the premisses and of all pane and dangeare that thay sal happin to sustene thairthrow. Sic subscribitur: Sir James Houme. James Burnfeild, with my hand.[1]

[Holyrood House, 15th May.] Anent Halkis.

Forsamekill as oure Soverane Lordis halkis within the boundis and ilis of Orknay and Zeitland of auld tyme had wount to be weill kepit to the use and behuif of his Hienes and his maist nobill progenitouris, and his Hienes servandis and falconaris quhilkis reparit in the cuntreis for taking and hamebringing of the saidis halkis wer weill ressavit and thankfullie interteneit; nevirtheles, of lait yeris thair hes bene greit default, not onelie in the awaytaking and disponing of the saidis halkis, by his Hienes use, bot in the evill handilling of his Majesteis servandis and falconaris that repairit in the saidis cuntreis, fra quhome the assistance and favour that of auld had wount to be schawin hes bene abstractit, to the greit hinderance of his Majesteis directionis and service. Thairfoir my Lord Regentis Grace ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croce of Kirkwall and utheris places neidfull within the cuntreis of Orknay and Zeitland, and thair, be oppin proclamatioun in his Hienes name and authoritie, command and charge all and sindry his Majesteis liegis within the saidis cuntreis, that nane of thame tak upoun hand to steill, abstract or convoy away, directlie or indirectlie, ony of the saidis halkis, bot to answer and obey his Hienes servandis and falconaris of the same, as alsua to schaw thame all favour, furtherance, and gude intertenyment in meit, drink, ferry fraucht, and

[1] Follow similar obligations by other families of Burnfields, entered in the Index of excluded Names.

utherwayis in thair cuming, remaning, or departing, as thay will answer to his Hienes upoun thair obedience at thair uttirmest charge and perrell.

[Holyrood House, 17th May.]

Sederunt—Joannes Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Joannes Comes de Montrois. Alexander Dominus Saltoun. Hugo Dominus Somervile. Adam Episcopus Orchadensis. Presidens. Commendatarius de Glenluce. Prepositus Edinburgi. Quhittinghame. Clericus Registri. Advocatus.

Abirbrothok. Lochlevin.

[Sequel to minute of 22d March as to disputes between John Commendator of Abirbrothok and William Dowglas of Lochlevin, each required to give assurance to the other.[1] Douglas refusing to comply, to enter in ward in Edinburgh Castle.]

[Holyrood House, 23d May.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Colinus Comes Ergadie. Joannes Comes de Montrois. Robertus Dominus Boyd. Joannes Dominus Hereis. Alexander Episcopus Brechinensis. Robertus Commendatarius de Dunfermling. Presidens. Clericus Justiciarie. Computorum Rotulator. Advocatus.

Erll of Menteith. Lekky.

Forsamekill as upoun licht and slendir occasioun unhappelie fallin out thair wes divers slauchteris committit betuix the freindis, servandis, and dependaris of Williame Erll of Monteith and Walter Lekky of that Ilk, and for removing of the troublis and quieting of the cuntre, travellis being takin, assurances wer gevin, the day of law continewit, and the personis denunceit rebellis relaxt, in hoip of sum concord and quietnes in the cuntre to have followit; howbeit, sensyne the formar troubill and misrule hes bene renewit, and slauchter laitlie committit, quhairupoun forder inconvenient is liklie to follow gif tymous remeid be not providit. And thairfoir, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing bayth the saidis partiis to compeir personalie in quiet and peciabill maner befoir his Grace and Lordis foirsaidis, at Haliruidhous, or quhair it sal happin thame to be for the tyme, upoun the last day of Maii instant, to answer to sic thingis as salbe inquirit of thame at thair cuming, and to underly sic ordour and directioun as salbe imput to thame, for the weill and quietnes of the cuntre in tyme cuming, under the pane of rebellion and putting of thame to the horne; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne; and to escheit, etc.

Burgesses of Kirkcudbrycht.

[William Ramsay of Sypland, Robert M°Culloch, Andro M°Brume, burgess of Kirkcudbrycht, and Andro M°Culloch, son of the said Robert, obtained suspension of the letters raised by Anthony Hank, citizen of Westchester, in England, for delivering to him certain goods or their prices[1]]; quhilkis being callit befoir the Lordis of Counsale and Sessioun upoun the

[1] *Supra*, p. 605.

day of Maii instant, and thay understanding thame selffis to have bene circumvenit in purchessing of the same, in respect na mentioun wes maid how, in quhat maner, and be quhome the foirsaidis letters purchest be the said Anthony procedit, remittit thairfoir the decisioun of the caus for the quhilk the said suspensioun wes grantit to the said Lord Regentis Grace and Lordis of Secreit Counsale, befoir quhome the mater being callit, and the said Anthony comperand personalie, and the saidis Williame Ramsay, Robert M^cCulloch, Andro M^cBrume and Andro M^cCulloch not comperand. My Lord Regentis Grace thairfoir, with avise of the saidis Lordis of Secreit Counsale, ordanis the saidis letters purchest be the said Anthony to be put to forder execution in all pointis, conforme to the tennour thairof.

[Holyrood House, 25th May.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Colinus Comes Ergadie. Joannes Comes de Montrois. Robertus Dominus Boyd. Joannes Dominus Hereis. Alexander Episcopus Brechinensis. Clericus Registri. Advocatus.

Charge on Lord Maxwell and his Clerk.

Forsamekill as Johnne Lord Maxwell Wardane of the West Marche of this realme foranent England, having willinglie upoun his awin motioun dimittit and gevin up his office of Wardanrie of the West Marche of this realme foranent England, it hes plesit oure Soverane Lord, with avise of his rycht traist cusing James Erll of Mortoun Lord of Dalkeyth, Regent to his Hienes, his realme and lieges, to mak and constitute his Hienes traist cousing and counsalour Archibald Erll of Angus Lord Dowglas and Abirnethy—Lieutenant-General ower all the Marcheis,—Wardane of the West Marche of this realme foranent England. And befoir his entre and acceptatioun of the said office, neidfull it is that he understand the present state and conditioun of the office of the said West Wardanrie; namelie, quhat complaintis betuix the Wardanis of bayth the realmes at the said West Marche restis un-answerit and dewtifullie redressit, to the effect that he may understand bayth quhat he hes to answer for and quhat to crave. Thairfoir, ordanis letters to be direct, chargeing Johnne Lord Maxwell, lait Wardane of the said West Marche, and Harbert Andersoun of Terrauchtie his clerk, to bring, present, and exhibit all bukis, scrollis, rollis, indentis, aggrementis, bandis, and utheris writtis, concerning the said West Wardanrie and redres to be maid or cravit thairat, befoir the Regentis Grace and Lordis of Secreit Counsale, upoun the tent day of Junii nix to cum; to be sene and considerit, to the effect that the same may be deliverit to the said Archibald Erll of Angus, now intrant Wardane, for his bettir informatioun and discharge of his office and dewitie as appertenis, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, thay sall incontinent thaireftir be denunceit rebellis and put to the horne, and all thair movabill gudis eschetit and inbrocht to oure Soverane Lordis use for thair contemptioun.[1]

[1] See p. 603 (12th March 1576).

Proclamation of a Justice Court in Drumfreis.

Forsamekill as it is thocht convenient be the Regentis Grace and Lordis of Secreit Counsale, that Archibald Erll of Angus Lord Dowglas and Abirnethy, Lieutenent-Generall and Justice to oure Soverane Lord within all the boundis of the Marcheis of this realme foranent England, sall repair in propir persoun to the West Marche for ordour taking, tuicheing the reformatioun of the offenssis and enormiteis committit be the inhabitantis within the said West Marche aganis oure Soverane Lordis peciabill and gude subjectis; and for that effect to hald a Justice Court, to begin in the Tolbuith of Drumfreis upoun the tent day of Julii nix to cum, with continewatioun of dayis; and that the Justice Clerk or his deputtis salbe present at Drumfreis upoun the tent, xi, xii, and xiii dayis of Junii nix to cum, to ressave dittay upoun all complaintis that salbe maid be quhatsumevir personis that hes ressavit skayth or injurie within the said West Marche. Thairfoir, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of Drumfreis, Peblis, Selkirk, Lanerk, and utheris places neidfull, and thair be oppin proclamatioun to mak intimatioun of the setting and appointing of the said Justice Court, the said tent day of Julii nix to cum, and to command and charge all personis that hes to do, persew, follow and defend at the said Justice Court, to be present thairat the saidis day and place, to ressave justice of thair complaintis as appertenis; and als to command all personis quhilkis hes thair dittayis and complaintis to mak, that thay gif in the samyn to the Justice Clerk and his deputtis, at Drumfreis, upoun the saidis tent, xi, xii, and xiii dayis of Junii nix to cum, to the effect that the personis complenit upoun may be arreistit and warnit to the said Justice Court in dew tyme; certifeing thame that gevis not in thair saidis dittayis at the tyme appointit, thay will not be hard nor ressavit thairfoir.

[Ordained that letters be directed charging all and sindry, Earls, Lords, Barons, freeholders, and landed men within the bounds of Drumfreis, Wigtoun, Air, Lanerk, Kirkcudbrycht, Annanderdaill, Kyle, Carrik and Cunynghame, each being "weill bodin in feir of weir" with twenty days' provision, to meet the Lord-Lieutenant at Drumfreis on 2d July next, for attending upon the King's service under his direction.]

[Margaret Park in Boghall, and Malcolm Stewart her husband, got Hew Montgomery of Giffen wrongfully put to the horn when disabled by sickness.] Alwayis seing he is now content to compeir befoir his Grace and Lordis foirsaidis, to answer to the said complaint, and thairupoun hes fundin cautioun, the saidis letters thairfoir aucht and sould be suspendit simpliciter upoun him in tyme cuming. And anent the charge gevin to the saidis Margaret Park and Malcolme Stewart hir spous, for his interes, to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale, at ane certane day bipast, bringand with thame the foirsaidis letters, with the executionis and indorsationis thairof, to have bene sene and considerit,

and to have hard and sene the samyn suspendit simpliciter for the caussis foirsaidis, lyke as at mair lenth is contenit in the saidis utheris letters, executioun and indorsatioun thairof. The said Hew Montgomery comperand personalie, and the saidis Margaret Park and Malcolme Stewart being oftymes callit and not comperand. My Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, suspendis the saidis letters, effect thairof, and proces of horne contenit thairintill, in tyme cuming upoun the said Hew, ay and quhill thay be producit befoir his Grace and Lordis foirsaidis, and that he be warnit to the productioun of the samyn as efferis.

Sederunt—Domini ut in die predicto.

[Holyrood House, 26th May.] Arreistment upon the Malles of Lochmaben.

Forsamekill as Johnne Lord Maxwell having demittit and gevin up his office of wardanrie of the West Marche of this realme foranent England, and that oure Soverane Lord, with avise of his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth Regent to his Hienes his realme and liegis, and Lordis of Secreit Counsale, ar with all diligence to place and appoint ane uther Wardane for the said West Marche, quha of necessitie mon haif the use and keping of his Hienes Castell and hous of Lochmaben, with the landis, fischeingis, proffeittis, feis, and dewiteis pertening thairto, siclyke as ony utheris capitanis of the said castell hes had in tyme bigane. Quhairfoir and to the effect that the males, fermis, proffeittis, and dewiteis of the same landis, fischeingis, be not utherwayis uptakin and bestowed than to the furnissing of the said hous and interteneing of the charge of the publict service, ordanis letters to be direct, to fense and arreist the males, fermis, proffeittis, and dewiteis of all landis, mylnis, fischeingis, and utheris commoditeis pertening to the said Castell and hous of Lochmaben, to remane under arreistment unintromettit with be ony quhill the same be uptakin be sic as ar appointit to the keping and custody of the said castell, and als to inhibit all and sindry the fewaris, fermoraris, tenentis, takkismen, possessouris, and intromettouris with the saidis landis, fischeingis, mylnis, and utheris commodeteis appointit for keping and furnissing of the said Castell, that nane of thame tak upoun hand to answer, obey, or mak payment to Robert [?] Lord Maxwell, nor nane of his deputtis and chalmerlanis; certifeing thame and thay do in the contrair, thay salbe compellit to pay the same ower agane, and to be puneist for thair contempt in exempill of utheris.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Robertus Dominus Boyd. Episcopus Glasguensis. Georgius Episcopus Moraviensis. Alexander Episcopus Brechinensis. Presidens. Commendatarius de Glenluce. Advocatus.

[Holyrood House, 31st May.]

That nane transport gold nor silver furth of this realme.

Forsamekill as be sindry lovabill lawis and Actis of Parliament, it is expreslie statute and ordanit that nane of the liegis of this realme sould

presume or tak upoun hand to cary furth of the samyn gold or silver, under the pane of escheting of the same gold or silver, and of all the remanent movabill gudis of thame that dois in the contrair; and siclyke that quhatsumevir personis will cum, reveill and schaw the contravenaris and gif up thair names, the same personis sal haif the ferd part of the gold and silver and remanent of thair movabill gudis, the same being tryit be thair reveling, as in the saidis Actis of Parliament at mair lenth is contenit. Nochtwithstanding, through the negligent executioun of the same Actis upoun the contravenaris thairof in tyme bigane, the liegis of this realme and utheris departing furth of the samyn, hes not ceissit nor ceissis not to cary and transport furth of the samyn gold and silver, and specialie his Hienes awin silver money of testanis and xxx, xx, and ten schilling pecis, makin oppin and plane marchandice thairof in Flanderis and utheris partis beyond sey, to the greit hurt of his Majestie and commoun weill of his realme; quhairthrow within schort space littill or nane of the said silver money salbe left current within this realme gif remeid be not providit. Thairfoir the Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of the heid burrowis of this realme and utheris places neidfull, and thair be oppin proclamatioun in his Hienes name and authoritie, mak publicatioun and intimatioun of the saidis Actis of Parliament of new, that nane pretend ignorance of the same; and als to command and charge all and sindry his Hienes liegis, and strangearis quhatsumevir, that nane of thame tak upoun hand to transport or tak away furth of this realme ony maner of gold and silver, and speciallie Scottis testanis or xxx, xx, or x s. pecis, under the pane of escheting of the money, with all the remanent movabill gudis of the awnaris and transportaris of the same money,—togidder with the schip and remanent movabill gudis of the maisteris, skipparis, and awnaris of the schip, quhairin the said money salhappin to be apprehendit be the sercheouris to be depute be his Hienes in every toun and uther part that hes a port; and that the sercheouris or utheris personis that will reveill and schaw the transportaris of the said gold and silver, and gif up thair names that brekis the saidis lawis and Actis, sall haif the ferd part of the said gold and silver and remanent movabill gudis of the contravenaris that salbe tryit be thair reveling, conforme to the effect and meaning of the saidis Actis of Parliament in all pointis; and that this present ordinance be exactlie execute for the space of ane yeir eftir the dait heirof, in forme and maner as is abone appointit; and further, ay and quhill further and mair speciall ordour be tane in this behalf.

[Holyrood House, 24th April.] Mudy and Hendersoun produceit the Complaints of Zeitland.

Anent the supplicatioun gevin in be Maister Williame Mudy of Breknes and Williame Hendirsoun, indwellaris in Orknay, makand mentioun.—That quhair thair wes ane commissioun direct be oure Soverane Lord under his Hienes signet and subscriptioun of my Lord Regentis Grace, commanding the saidis Maister Williame and Williame Hendirsoun

to repair in the cuntre of Zeitland, and thair in his Majesteis name and authoritie to inquire and try the trewth of all complaintis of the inhabitantis thairof maid to our Soverane Lord and his said Regent, or to be presentit to the saidis Commissionaris at thair arryving in the said cuntre, or be examinatioun of credibill and honest witnessis, quhais names salbe gevin in bill; and that thay report thair haill knawlege and procedingis in the saidis materis, with all diligence to his said Regent, to the effect that reformatioun may be put to the saidis enormiteis, to the ease and satisfactioun of all complenaris, and weill and quietnes of the said cuntre in tyme cuming, according to the effect of the said commissioun, quhairof the tennour followis: James, be the grace of God King of Scottis, to all and sindry oure liegis and subdittis quhais knawlege thir our letters sall to cum, greting: Forsamekill as we and our rycht traist cousing, James Erll of Mortoun Lord of Dalkeyth, Regent to us, our realme and liegis, ar informit of mony heich attemptattis, inordinat oppressionis, and new exactionis dalie committit upoun our peciabill and obedient subjectis the inhabitantis of our cuntre of Zeitland, quhilkis dwelling sa far distant frome our residence and seit of justice can not alwayis compeir and haif access and mak thair complaintis, nayther can the trewth of the same complaintis be tryit in the sowth partis of our realme without putting of a greit nowmer of our subjectis, inhabitantis of the said cuntre, that necessarlie requiris to be inquirit and examinat, to greit and harvy travellis and expenssis; for releif quhairof, and ease of our saidis subjectis, wit ye us, with avise of oure said Regent, to have gevin, grantit, and committit, and be thir oure letters, gevis, grantis, and committis to oure weilbelovittis Maister Williame Mudy of Breknes, and Williame Hendirsoun Dingwell Pursevant, conjunctlie, oure full power, expres bidding and command, to repair in the said cuntre of Zeitland, and thair in our name and authoritie to inquire and try the trewth of the saidis complaintis of the inhabitantis maid to us and our said Regent, or to be presentit to our saidis Commissionaris at thair passing in the said cuntre in forme of dittay, or be examination of credibill and honest witnessis quhais names salbe gevin in bill; and to that effect be thair awin precept, to summond sic personis as thay think expedient, to compeir befoir thame, alsweill to give up thair complaintis and dittay as to declair the trewth in sic thingis as salbe inquirit of thame at thair cuming,—ilk persoun under the pane of ten pundis, the personis not comperand to unlaw for the saidis panis; and for the same, gif neid be, to poind and distrenye, and that thay report thair haill knawlege and procedingis in the saidis materis with all speid and diligence to our said Regent, to the effect that reformatioun may be put to the saidis enormiteis, to the ease and satisfactioun of the complenaris and weill and quietnes of the said cuntre in tyme cuming. Quhairfoir, we command and charge the saidis Maister Williame Mudy and Williame Hendirsoun, that thay accept this our commissioun in and upoun thame incontinent eftir the presenting of the same to thame; and that thay indilaitlie and with all possibill expeditioun thaireftir proceid

to the executioun thairof, eftir the forme and tennour of the same; alsweill in the taking of the said executioun and tryell as in reporting of that quhilk thay sall try and find out; as thay and ayther of thame will answer to us upoun thair obedience at thair uttirmest charge and perrell, and under all hieast pane and offence that thay may commit and inrin aganis our Majestie in that behalf. Gevin under oure signet, and subscrivit be our said cousing and Regent at Dalkeyth, the nynt day of November, and of oure regnne the tent yeir, 1576. Sic subscribitur: James Regent. The said Williame Hendirsoun comperand personalie for himself, and as procuratour speciallie constitute for the said Maister Williame Mudy, presentit, exhibitit, and produceit, in presens of the said Lord Regentis Grace and Lordis of Secreit Counsale, the haill complaintis of the inhabitantis of the said cuntre of Zeitland gevin in to the saidis Mr. Williame Mudy and Williame Hendirsoun the tyme of thair arryving thair, with thair haill procedingis, examinationis, depositionis of famous witnessis, tryellis and exact diligence done be thame, conforme to the said commissioun schawin in writt, in auttentik forme subscrivit with thair handis. Quhilkis being considerit be the Regentis Grace and Lordis of Secreit Counsale, thay haif found and findis the will, commandiment, and directioun of the said commissioun, fullelie satisfeit obeyit and performit in all pointis be the saidis Maister Williame Mudy and Williame Hendirsoun constitute Commissionaris thairin; and thairfoir declaris thay haif done the dewitie of gude subjectis and faythfull officiaris in the executioun of the same commissioun. And the said Regent and Lordis foirsaidis, in our Soverane Lordis name, allowis and approvis the saidis haill procedingis, and ordanis the same to remane in the handis of the Clerk of the Counsale quhill forder ordour and directioun be gevin thairanent.

[Edinburgh, 11th June.] [Sequel to minute of 25th May, as to Lord Maxwell demitting the wardenry of the West Marches. He and his clerk, Herbert Andersoun, on the occasion of Archibald Earl of Angus entering as Warden, produced certain books, scrolls, indents, and other writs, to the number of "sex pece."]

[Edinburgh, 2d July.] *Sederunt*—Joannes Dominus Glammis Cancellarius. Joannes Comes de Montrois. Willelmus Dominus Ruthven. Robertus Commendatarius Dunfermling. Presidens. Advocatus.

Ogilvy of Dunlugus. Anent the charge gevin be vertew of oure Soverane Lordis letters to George Ogilvy of Dunlugus, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Council at ane certane day bipast, to answer to sic thingis as sould be inquirit of him at his cuming, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, utheris letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun. Quhilkis being callit, and the said George Ogilvy comperand personalie, it wes inquirit gif he had in his handis the writtis,

ornamentis, capes, organis, and commoun seill mentionat in ane inventure produceit, upoun the bak quhairof wes contenit the copy of his obligatioun granting him, at the desire of George Lord Seytoun, to have ressavit fra George Dunbar of Awach the saidis writtis and utheris contenit in the said inventure. It wes answerit be the said George Ogilvy that he deliverit the same writtis, ornamentis, capes, organs, and commoun seill, contenit in the inventure foirsaid, to the said George Lord Seytoun; and for verifeing thairof produceit his acquittance upoun the ressait of the samyn, of the dait at Edinburgh, the last day of September, the yeir of God j^{m}v^{c}lxxvi yeris, lyke as the said George Lord Seytoun being personalie present grantit the ressait of the same writtis and utheris contenit in the said inventure fra the said George Ogelvy the tyme abone mentionat.

[Edinburgh, 4th July.] Band for Torquill M^{c}Cloyd.

Be it kend till all men be thir present letters: We, Torquill M^{c}Cloyd sone and apperand air to Rory M^{c}Cloyd of the Lewis as principall, and Patrik Lord Lindesay of the Byris as cautionar and souirtie for me, to be bundin and oblist, and be the tennour heirof bindis and obleissis us, conjunctlie and severalie, that I, the said Torquill, sall entir and compeir personalie befoir oure Soverane Lord and his rycht traist cousing, James Erll of Mortoun Lord of Dalkeyth, Regent to his Majestie, his realme and liegis, and Lordis of Secreit Counsale, upoun the xxiiii day of Maii, the yeir of God j^{m}v^{c}lxxviii yeris, to answer to sic thingis as salbe layd to my charge, under the pane of fyve thowsand pundis; and I, the said Torquill, obleissis me and my airis to warrand and releif the said Patrik Lord Lindesay of the premissis, and of all pane and dangeare that he sal happin to sustene thairthrow; and for the mair securitie we ar content and consentis that thir presentis be actit and registrat in the bukis of Prevy Counsale, and decernit to haif the strenth of ane Act and decreit of the Lordis thairof, and thair authoritie to be interponit thairto, and letters and executoriallis to be direct thairupoun in forme as efferis; and for acting and registring of the same, makis, constitutis, and ordanis, etc., oure procuratouris, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, and in our name consent to the registring heirof in uberiori forma promittendo de rato. In witnes quhairof we have subscrivit thir presentis with our handis as followis: At Edinburgh and Byris, the xx and xxi dayis of Julii, the yeir of God j^{m}v^{c}lxxvii yeris, befoir thir witnessis, Maister Johnne Baxter, Williame Stevinstoun, Johnne Allane, and Archibald Prymrois, with utheris divers. Sic subscribitur: Patrik L. Lyndesay.

[Holyrood House, 22d July.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Andreas Comes de Rothes. Willelmus Dominus Ruthven. Adam Episcopus Orchadensis. Robertus Commendatarius Dunfermling. Clericus Registri. Clericus Justiciarie. Advocatus.

Proclamatioun to meit at Drumfreis.

Forsamekill as the Regentis Grace sen his acceptatioun of the governament hes tane greit cair and ernist travellis for quieting of the brokin

men inhabiting the cuntreis ewest the Bordouris, for observatioun of the peace and amytie with the realme of England and saiftie of his Hienes peciabill and gude subjectis frome thair heirschippis and oppressioun; and albeit thair be plegeis ressavit and liand in the Incuntre for the gude rewle of the principallis of the clannis, yit is a certane few nowmer purposlie maid lowse and left out,—as apperis for the troubill alsweill of the publict peace betuix Scotland and England as of his Hienes peciabill subjectis—ar withdrawin to the Harlaw woddis, and ceissit not to mak dalie stowthis, reiffis, taking of presonaris, and doing of sic uther outragious attemptattis and injureis as schortlie ar lyke to draw to greit inconvenientis; for remeid quhairof, the Regentis Grace intendis, God willing, in propir persoun, to repair to the Bordouris, for reduceing of the saidis dissobedient and disorderit personis rebellis and outlawis to his Hienes obedience, and to put ordour to the places of thair resset; quhairunto it is neidfull that his Grace be substantiouslie accumpaneit. Thairfoir, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of the burrowis of Edinburgh Principall, Hadingtoun, Dunse, Jedburgh, Selkirk, Lawder, Peblis, Renfrew, Dunbartane, Striveling, Linlythquow, Clakmannan, Kinross, Perth, Fyff, Forfar, Kincardin,—and thair be oppin proclamatioun in his Hienes name and authoritie, command and charge all and sindry his Majesteis liegis betuix lx and xvi yeris, and utheris fensabill personis alsweill dwelland to burgh as to land, within regalitie as ryaltie, within the boundis of our Sherefdomes of Edinburgh Principall, and within the Constabularie of Hadingtoun, Berwik, Roxburgh, Selkirk, Peblis, Renfrew, Dunbartane, Striveling, Linlythquow, Clakmannane, Kinross, Perth, Fyff, Forfar, Kincardin, and Stewartries of Stratherne and Menteith,—that thay and ilkane of thame weill bodin in feir of weir, with fourty dayis victuallis and provisioun eftir thair cuming, and with palyeonis to ly on the feildis, addres thame to meit the Regentis Grace at Drumfreis upoun the tent day of October nix to cum, and fra thyne furth to pas furthwart and attend upoun his Grace as thay salbe commandit, for persute and invasioun of the saidis rebellis and outlawes, thair resettaris and partakaris, and reduceing thame to our Soverane Lordis obedience, and als that thay caus every cariage man cary ane aix with him for sic service as salbe employed, under the pane of tinsell of lyff, landis, and gudis.

That nane resset Thevis.

The Regentis Grace and Lordis of Secreit Counsale, understanding that albeit thair be plegeis ressavit and liand in the Incuntre is for the gude rewle of the maist part of the brokin men inhabiting the cuntre ewest the Bordouris, yit is a certane few nowmer purposlie maid lowse and left out,—as it apperis, for the troubill alsweill of the publict peace betuix Scotland and England as of his Hienes awin peciabill and gude subjectis—ar withdrawin to the Harlaw woddis, and ceissis not to mak dalie stowthis, reiffis, taking of presonaris, and doing of sic uther outragious attemptattis and injureis as schortlie ar lyke to draw to greit inconvenientis; for remeid quhairof

the Regentis Grace intendis, God willing, in propir persoun to repair to the Bordouris, for reduceing of the saidis dissobedient and disorderit personis, rebellis, and outlawes to his Hienes obedience. Bot becaus in this meane seasoun his Hienes peciabill and gude subjectis may suddanlie and unawaris ressave skayth, heirschip, and oppressioun of the saidis rebellis and thevis, fugitives, thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of the burrowis and townis of Edinburgh, Lawder, Jedburgh, Hawik, Selkirk, Peblis, Lanerk, Drumfreis, and utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie to command and charge all and sindry his Hienes trew and obedient liegis, that thay stand upoun thair gaird and keip suir watche for the preservatioun of thameselffis and thair gudis frome all injurie and invasioun of the saidis rebellis, thevis and fugitives; and als to command and charge all and sindry the principallis and utheris of all clannis, and utheris under plege and suirteis, that thay on na wayis resset, supple or intercommoun with the saidis rebellis and thevis, fugitives, keip tryistis, or have intelligence with thame, or gif thame meit, drink, hous or herbry, in thair incuming within the realme of Scotland to commit attemptattis or outpassing furth of the same; bot that thay raise the fray, and persew the saidis rebellis and thevis fugitives, and ryise, assist, and tak part with all trew men in following of thair gudis, and that thay on na wayis suffer the saidis rebellis and thevis, fugitives, thair wyffis or bairnis, to resort, remane or big schelis within the severall ground of Scotland, bot that thay cast doun and hald doun the saidis schelis, and on na wayis suffer the saidis rebillis, outlawes, and thevis fugitives to be harbriit, resset or kendill fyre thairin, under the pane to be repute haldin persewit and demanyt, as the rebellis and fugitives, with all rigour in exempill of utheris.

[Johnne Rentoun of Billy becomes surety for Captain Williame Rentoun, to whome licence is granted to levy a hundred and fifty men for "the service of the citie and commoun welth of Danskin."[1]] [Edinburgh, 27th July.]

Forsamekill as David Wemys of Drone having obtenit licence of oure Soverane Lord and his Regent, to pas out of this realme to France, thair to remane for doing of his lefull erandis and bissines for the space of ane yeir nixteftir the dait of the said licence, quhilk is at Dalkeyth the xv day of Julii last bipast. Thairfoir Andro Abircrumby of Camroun become actit and obleist that during the said Davidis remaning furth of this realme, he sall do nor attempt na thing tending to the prejudice of our said Soverane Lord, his said Regent and present estate of this realme, under the pane of ane thowsand pundis. And the said David Wemys obleist him to releif his said cautionar of the premissis, and of all pane and dangeare that he sal happin to sustene thairthrow. Sic subscribitur: David Wemys of Dron. Andro Abircrummy of Camroun, with my hand at the pen led be James Harlaw, notar publict, at my command. [Dalkeith, 5th August.] Caution for Wemys of Drone.

Caution for Lord Robert.

The quhilk day, in presens of my Lord Regentis Grace, comperit personalie Maister Alexander Coustoun, and gaif in this band and obligatioun underwrittin, desyring the samyn to be actit and registrat in the bukis of Secreit Counsale, etc., of the quhilk the tennour followis: Be it kend till all men be thir present letters, We, Patrik Lord Lindesay of the Byris, James Maister of Lindesay my sone and apperand air, and Johnne Pennycuke youngar of that Ilk, to be bundin and obleist, and be the tennour heirof bindis and obleissis us in maner following as cautionaris and souirteis for Lord Robert Stewart, fewar of Orknay and Zeitland; that is to say, that the said Lord sall remane in ward within the Palice of Linlythquow and boundis of the toun, Kirk and Peill of Linlythquow, and on na wayis eschaip nor eschew furth of the samyn boundis quhill he be fred and relevit be oure Soverane Lord and his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth, Regent to his Hienes his realme and liegis, under the pane of ten thowsand pundis, quhairof we, the saidis Patrik Lord Lindesay and James Maister of Lindesay my sone, conjunctlie, obleissis us and oure airis for fyve thowsand pundis; and I the said Johnne Pennycuke youngar of that Ilk, obleissis me and my airis for the uther fyve thowsand pundis. And als we, Johnne Mowbray of Barnbowgall and Robert Logane of Restalrig, obleissis us, conjunctlie, and our airis, to freith, releif and keip skaythles the said Patrik Lord Lindesay and James Master of Lindesay, and thair airis, of the said souirtie, and of all pane and dangeare that thay sal happin to sustene thairthrow. And siclyke I the said Lord Robert Stewart obleissis me, my airis and executouris, to freith, releif and keip skaythles my haill souirteis abonewrittin and thair airis of the said souirtie and releif, and of all pane and dangeare that thay or ony of thame sal happin to incur and sustene thairthrow. [The obligation is registered for execution.] In witnes of the quhilk thing we have subscrivit this present obligatioun with our handis as followis: At Edinburgh, Linlythquow, Byris and Bernbowgall respective, the secund and four dayis of August, the yeir of God j^{m}v^{c}lxxvii yeir. Sic subscribitur: Patrik L. Lyndsay. James Lyndsay. Robert Stewart. Johnne Mowbray of Barnbowgall. Johnne Pennycuke youngar. Robert Logane of Restalrig.

[Holyrood House, 6th August.]

Sederunt—Jacobus Dominus Regens. Colinus Comes Ergadie. Hugo Comes de Eglintoun. Comes de Menteith. Robertus Dominus Boyd. Commendatarius de Sanctcolme. Clericus Registri.

Davidsonis.

Anent oure Soverane Lordis letters rasit at the instance of Robert Davidsoun in Fawlawis, Dand Davidsoun in Lempetlaw, Jokke Davidsoun in Dennerles and Watte Middilmaist in Scharprig, aganis Williame Ker

Cesfurde.

youngar of Cesfurde, Wardane of the Middill Marche of this realme, for productioun befoir my Lord Regentis Grace and Lordis of Secreit Counsale of sic pruife and testimony as he hes or will use for informatioun of his

Grace and Counsale, that the saidis complenaris ar worthelie and lauchfullie fylit of ane bill of Sir Thomas Gray of Chillinghame, Inglisman, of four oxin and ane naig, quhairof it is allegeit thay ar altogidder saikles, lyke as at mair lenth is contenit in the saidis letters direct thairupoun. Quhilkis being callit and the saidis complenaris comperand personalie, and the said Williame Ker comperand be Robert Menteith his servand and procuratour. The said Robert produceit and declarit the names of the personis underwrittin as ane acquittance for tryell of the saidis complenaris, according to the ordour observit in sic caissis, quhais names being red to the saidis complenaris, and thay admitting and accepting thame for thair tryell. Thaireftir, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, assignit and assignis to the said Williame Ker the first day of September nix to cum to produce the saidis personis appointit for the said acquittance, and ordanis him to have letters chargeing the same acquittance: thay ar to say, James Hoppringill in Hownum, Dand Hoppringill his sone, Watt Hoppringill in Cliftoun, Thomas Hoppringill his broder in Halden, Robert Davidsoun in Symestoun, Dand Davidsoun sone to Westir Will, Dand Davidsoun callit Thankles, James Davidsoun his broder, Dand Tait of Bairers, James Young of the Coif, Thome Young of Lempetlaw, Dand Burne of the Loch, and Mongo Burne of Lempetlaw, to compeir personalie befoir the said Lord Regentis Grace and Lordis of Secreit Counsale, at Haliruidhous or quhair it sal happin thame to be for the tyme, the said first day of September nixt, to answer to sic thingis as salbe inquirit of thame anent the tryell and purgatioun of the saidis complenaris of the said bill, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne, and in the menetyme continewis the said mater in the samyn forme, force, etc., bayth the saidis partiis warnit heirto apud acta.

James Turnet.

Anent oure Soverane Lordis letters rasit at the instance of James Turnet in Ednem, makand mentioun.—That quhair the said James become cautioun for David Andersoun, Inglisman, for sex pundis Scottis, to George Fairbarne in Gordoun and Johnne Gray in Ednem, quhair the said James Maister constranit him to mak payment, conforme to his band of cautioun, and could have na releif of the said David unto the tyme, he beand takin within Scotland, his wyff sendand his broder upoun his meir to Ednem in sute of hir husband, the said James causit his maisteris officiar to tak the meir and deliver hir to him for his releif, nochtwithstanding the said meir not beand worth the said sowme, and the said David being justifiit in Scotland at that present, his wyff arreistit the said James to ane day of Trew, and the Lard of Coldenknowis, Wardane in thay partis hes fylit the said James in the dowbill and sawpheir of the said meir, the lyke preparative nevir being usit at nane of the Marches, nor yit aucht he to be juge thairin, considering the said meir wes takin within the toun of Ednem and not out of the ground of England; and the said Wardane purposis to

Coldenknowis.

deliver the said James, quhilk wil be to his utter povirtie without remeid be providit. Attour, the said meir wes sauld sindry tymes to four or fyve sindry handis, and the maist that wes gottin for hir at ony tyme wes within sex merkis Scottis, and the said meir with hir dowbill will extend to thre scoir pundis, quhilk is plane injurie. And anent the charge gevin to Sir James Hume of Coldenknowis knycht, Wardane of the said Eist Marche, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the foirsaidis letters. Quhilkis being callit, the said James Turnet comperand personalie, and the said Sir James Hume comperand be Maister Johnne Crawmond his procuratour, be quhome it wes allegeit, in name of the said Sir James, that the said James Turnet can haif na place to persew for his releif of the said bill unto the tyme the same be first justifiit, and the King and Wardane relevit at the handis of the opposit Wardane. Quhilk allegeance, with divers utheris the ressonis and allegationis of bayth the saidis partiis, being hard and considerit be the Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, findis that the said bill sould be first satisfiit befoir ony releif be socht, and thairfoir ordanis the said James Turnet to satisfiie the same bill, and to releif King and Wardane at the handis of the opposite Wardane thairof as efferis, without prejudice to him to persew thaireftir for his releif, conforme to the ordour and practik observit in sic caissis.

Charles Drummond.

Capitane Lamby.

Anent oure Soverane Lordis letters rasit at the instance of Charles Drummond of Kingisfeild, Patrik Sellar Baillie of Linlythquow, Williame Sellar his sone, James Hammiltoun sone to Mongo Hammiltoun of Pardoven, Walter Polwart of Cauldlaw, and Alexander Mure youngar of Skethmure, aganis Capitane Andro Lamby, tuicheing the mannassing and persewing of the saidis complenaris for thair bodelie harme, and divers utheris crymes mentionat and contenit in the foirsaids letters direct thairupoun. Quhilkis being callit, and bayth the saidis personis comperand personalie, except the said Alexander Mure of Skethmure. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, admittis the saidis letters to the saidis complenaris probatioun, and assignis to him the xx day of August instant for preving thairof; and ordanis thame to haif letters chargeing sic personis as thay will use for preving of the samyn, to compeir befoir George Dowglas of Parkheid Capitane of the Castell of Edinburgh, Sir Archibald Naper of Edinbilly knycht, Fairlie of Braid, Maister Michaell Chesholme, Johnne Arnot, burgessis of Edinburgh, and Alexander Guthre commoun clerk thairof, or sa mony of thame as sal happin to be present with the said George Dowglas of Parkheid, to quhome my Lord Regentis gevis full power and commissioun be thir presentis to ressave tryell and probatioun in the said mater, and to report agane to his Grace and Lordis

foirsaidis—that forder ordour may be takin heiranent as appertenis—at Edinburgh the said xx day of August instant, to beir leill and suithfast witnessing in sa far as thay knaw or salbe sperit at thame in the said mater, under the pane of rebellioun, etc.; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne; and in the menetyme continewis the said mater, etc., bayth the saidis partiis warnit heirto apud acta.

[Charge, Captain Andro Lamby—against James Hammiloun at the West Port of Linlythquow, Mongo Hammiltoun of Pardoven, Alexander Hammiltoun and James Hammiltoun his sons, Patrik Sellar, Williame Sellar his son, and Alexander Mure younger of Skethmure, for pursuing him for his slaughter; 20th August assigned for proving thereof, and the same commissioners appointed as in the preceding case for taking trial in the matter.] Hamiltons.

Forsamekill as Alexander Burnfeild, secund sone to umquhile Thomas Burnfeild, broder to umquhile Stevin Burnfeild of Grenlawdene, comperand personalie in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, upoun the last day of Maii last bipast, wes commandit to remane and keip ward within the Burgh of Edinburgh, ay and quhill he fand cautioun actit in the bukis of Secreit Counsale upoun certane conditionis prescrivit unto him, under the pane of fyve hundrith merkis—and that he sould not depart quhill the said cautioun wer fundin, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failyeit, letters sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the charge direct thairupoun; quhilk the said Alexander Burnfeild hes contemptuouslie dissobeyit, in sa far as he hes wilfullie past hame to his dwelling hous without cautioun fundin in maner foirsaid, quhairthrow he hes incurrit the said pane of horning, and the samyn aucht to be execute upoun him, as alsua all his movabill gudis escheitit and inbrocht to our Soverane Lordis use for his contemptioun. And thairfoir ordanis letters to be direct, chargeing the said Alexander Burnfeild to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale, upoun the day of August instant, to heir and se letters be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and denunce him oure Soverane Lordis rebell and put him to the horne, and to escheit, etc., or ellis to allege ane ressonabill caus quhy the samyn sould not be done; with certificatioun to him and he failye, the saidis letters salbe direct in maner abonewrittin. Charge on Alexander Burnfeild.

The Counsale hes thocht convenient that the personis byaris and intromettouris with the gudis takin in piracie be a Fransche schip of weir laitlie frequenting about the Maii, salbe callit befoir my Lord Admirall and his deputtis, alsweill to mak suirtie that the same salbe furthcumand to the just awnaris, freindis, and confiderattis of this realme as to underly

punisement for bying and resset of unlauchfull gudis upoun the streame, according to the lawis and justice.

[Holyrood House, 8th August.] Keir.

Sederunt—Domini ut in die predicto.

Anent oure Soverane Lordis letters direct, makand mentioun.—That forsamekill as Johnne Littill of Kessok, plege for certane brokin men, be Act and ordinance of Prevy Counsall, wes direct to remane and be kepit in firmance be James Striveling of Keir, quha wes commandit be vertew of oure Soverane Lordis letters to keip the same plege in firmance, on na wayis letting him eschape or eschew on band or utherwayis, quhill he wer fred and relevit be oure Soverane Lord or his Regent, under the pane of twa thowsand pundis money of this realme, and in cais of failye and dissobedience; being callit and adjugeit to have incurrit the said pane, his reddiest gudis, geir, and landis sould be poindit and apprysit thairfoir to our Soverane Lordis use, as the saidis letters and executionis thairof, with the said Regentis speciall missive writting direct for the same effect to the said James Striveling, mair fullelie proportis. And albeit that the said Johnne Littill wes ressavit be the said James in maner and upoun the conditionis abone writtin, nevirtheles he hes lettin the said Johnne deliverit to him as said is eschape, eschew, and pas hame in the cuntre of his dwelling ewest the Bordouris, quhairthrow he himself and utheris hes takin bauldnes to ryde in Ingland, and upoun the peciabill and gude subjectis of this realme; omittand na thing that in thame lyis to brek the Bordouris and perturb the peace betuix the realmis, in hie and manifest contemptioun of oure Soverane Lord and his authoritie. And anent the charge gevin to the said James Striveling to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to heir and se him decernit be decreit to have incurrit the said pane of twa thowsand pundis for the caus foirsaid, and letters to be direct to poind and appryis his reddiest gudis, geir, and landis thairfoir to oure Soverane Lordis use, or ellis to allege ane ressonabill caus quhy the samyn sould not be done; with certificatioun to him and he failyeit, the Regentis Grace and Lordis foirsaidis wald decerne and direct letters in maner and to the effect abone mentionat, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the said James Striveling comperand personalie, quhais ressonis and allegationis being hard and considerit be the Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, decernis the said James Striveling to have incurrit the said pane of twa thowsand pundis for the caus foirsaid, and ordanis letters to be direct to poind and appryis his reddiest gudis, geir, and landis thairfoir to oure Soverane Lordis use, in dew forme as efferis.

[Holyrood House, 9th August.]

The quhilk day Johnne Robertsoun burges of Edinburgh, become actit and obleist as cautionar and souirtie for George Dowglas of Parkheid, Capitane

of the Castell of Edinburgh—havand licence to transport certane leid ure —that he sall pay to the nobill and michtie Lord James Erll of Mortoun Lord of Dalkeyth, Regent to our Soverane Lord, his realme and liegis, fyvetene unces of utter fyne silver for every thowsand stane wecht of the said leid ure, as the same salbe weyit and markit be the Generall of the cunyehous, according to the directioun gevin to him to that effect; and that by and attour the fifty unces quhilk is appointit to be payit for every thowsand stane to the Maister of our Soverane Lordis cunyehous to his Hienes use; and that betuix the dait heirof and the first day of Marche nix to cum, but forder delay fraude or gyle; and the said George Dowglas obleist him and his airis to freith, releif and keip skaythles the said Johnne Robertsoun of the premissis, and of all pane and dangeare that he sal happin to sustene thairthrow; and this cautioun to extend to twenty fyve lastis onelie. Sic subscribitur: George Dowglas. Johnne Robertsoun. Caution for George Dowglas.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Andreas Comes de Errole. Willelmus Dominus Ruthven. Commendatarius de Culros. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 27th August.]

Anent oure Soverane Lordis letters rasit at the instance of Andro Ramsay, burges of Perth, makand mentioun.—That quhair Maister Patrik Quhytlaw ane of the Baillies of the said Burgh, Oliver Peblis Dene of Gild thairof, and certane utheris to the nowmer of sex personis, being nominat to be auditouris to the ressaving of the Thesauraris compt of the said Burgh of divers yeris bigane, appointit to that effect the xv day of Marche last bipast, at the quhilk day the said complenar, at the desire of the Provest of the said Burgh, comperit to have produceit his compt as Thesaurare of the said Burgh for the tyme fra the moneth of November anno etc. lxvii yeris to the moneth of Maii thaireftir following or thairby. In the menetyme the saidis auditouris be collusioun amangis thame selffis wald na wayis ressave the saidis complenaris comptis. Seing the quhilk, and that thre of thame had bene Thesauraris of befoir and wer to mak thair awin comptis and clokit every ane with ane uther, distributing the commoun gude ilkane to thair awin particular avancement, the said complenar assurit thame that he sould declair thair collusioun to my Lord Regentis Grace and Lordis of Secreit Counsale, and caus ayther of thair unlauchfull comptis be recomptit agane be newtrall auditouris, quhairby that ane Thesaurare sould not be fund auditour to ane utheris comptis; and than immediatlie the said Thesaurare and Dene of Gild, with thair officiaris, put violent handis on the said complenar, ruschit him to the Tolbuith, without ony ordour maist schamefullie, and wald tak na cautioun, bot detenit him captive quhill the xxix day of Marche last bipast, and than to cullour thair oppressioun gaif in thair complaint judicialie, allegeing the said complenar to have injurit thame, and stoppit thair comptis making, and thairfoir desyrit him to be puneist in his persoun, Andro Ramsay. Baillies of Perth.

depryvit of his fredome, to pay twenty pundis of unlaw, and to be depryvit for evir of bering of offices, as the copy of thair complaint schawin to the saidis Lordis of Secreit Counsale beris. And anent the charge gevin to Thomas Monypenny, Alexander Oliphant, James Hepburne, Andro Merser, Oliver Peblis, Patrik Andersoun alias Gardner, Andro Ramsay, Patrik Inglis, Williame Hall, Henry Adamsoun, Johnne Maxtoun, and Williame Fleming,—allegeit Thesauraris and intromettouris with the commoun gude of the said Burgh thir xvi yeris bipast,—to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to this complaint, and to heir and se ordour takin anent the same as appertenit, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failyeit, letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The said Andro Ramsay persewar comperand personalie, and the foirsaidis utheris personis complenit upoun being alsua personalie present, with Maister Patrik Quhytlaw, ane of the Baillies of the said Burgh,—quha at command of my Lord Regentis Grace and Counsale gaif up the names of the personis thesauraris of the samyn Burgh of the yeris following; thay ar to say, Johnne Maxtoun thesaurare in the yeir of God j^{m}v^{c}lxi yeris, Williame Flemyng thesaurare in the yeir of God j^{m}v^{c}lxiii yeris, Andro Ramsay in the lxvi yeir, James Hepburne in the lxvii and lxviii yeris, Patrik Gairdner in the lxix yeris, Thomas Monpenny in the lxx and lxxi yeris, Patrik Inglis in the lxxii and lxxiii yeris, and the said Thomas Monypenny in the lxxiiii and lxxv yeris. My Lord Regentis Grace and Lordis of Secreit Counsale,—willing to remove all occasioun of seditioun that may arryis within the said Burgh, be ane newtrall and indifferent way to the pleasour of God, quieting of the same Burgh, and removing of factionis furth thairof,—commandit and ordanit ayther of the saidis partiis to nominat aucht personis quhilkis thay thocht maist meit and indifferent, to be present with the Lordis Auditouris of Chekker at the making of new of the comptis of the foirsaidis yeris be the personis abonewrittin thesauraris for the tyme. Quhilkis personis being nominat be bayth the saidis partiis hinc inde, and my Lord Regentis Grace and Lordis foirsaidis, finding bayth the same partiis aggreing on the personis of Robert Andersoun, Andro Moncreif, Alexander May, George Johnnestoun, Andro Stowpe, Williame Andersoun, Laurence Davidsoun, and Johnne Smyth eldar, to be present with the saidis Lordis to the effect abonewrittin. His Grace thairfoir, with avise of the saidis Lordis of Secreit Counsale, ordanis letters to be direct, chargeing the foirsaidis personis thesauraris of the yeris abonewrittin, togidder with the saidis utheris personis chosin for hering of the saidis comptis, to compeir personalie befoir the Lordis Auditouris of Chekker at Edinburgh, or quhair it sal happin thame to be for the tyme, the aucht day of November nix to cum; that is to say, the saidis personis, thesauraris of the foirsaidis yeris, to mak compt of new of thair intromis-

sioun with the commoun gude of the said Burgh during the said space, and the foirsaidis utheris personis, to heir the saidis comptis maid and allowance gevin thairupoun as efferis,—under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, the said day being bipast, letters salbe direct simpliciter to put thame to the horne, and to escheit, etc.

Sederunt—Domini ut in die predicto.

[Holyrood House, 28th August.]

Forsamekill as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsale that thair is ane Court appointit to be haldin upoun the landis of Manwelrig upoun the thrid day of September nix to cum, for perambulatioun of the debettabill methis and marches of certane landis pertening to James Lord Ross and Fowlis of Colingtoun on the ane part, and Thomas Levingstoun of Hanyng on the uther part; quhair unto ayther of thame intendis to mak convocatioun of thair freindis to greit nowmeris, amangis quhome thair is sum variance and contraversy presentlie standing, quhairupoun forder inconvenient is liklie to follow to the troubling of the gude and quiet estate of the cuntre gif tymous remeid be not providit. And thairfoir, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, command and charge bayth the saidis partiis personalie or at thair dwelling places, that nane of thame tak upoun hand to mak ony convocatioun or gaddering to the said Court or ony uther Courtis to be haldin concerning the said mater unto the end of the proces, bot that ayther partie bring onelie xxiiii personis, thair freindis and servandis, in quiet maner without armour, besydis the Jugeis, Clerkis, Advocattis and utheris memberis of Court. As alsua to charge all and sindry oure Soverane Lordis liegis, be oppin proclamatioun at the marcat croces of Edinburgh, Striveling, Linlythquow, and utheris places neidfull, that nane of thame tak upoun hand to convocat thame selffis in armes or utherwayis, with ony of the saidis partiis or utheris thair assistaris, or yit repair to the said Court or boundis ewest thairto under quhatsumevir cullour or pretens, under the panis contenit in the Actis of Parliament maid anent convocatioun of oure Soverane Lordis liegis. And als to charge the personis summond upoun the inqueist for deserving of the said breif of perambulatioun, that thay on na wayis repair to the said Court, bot quietlie accumpaneit without armour, unaccumpaneing or taking part with ayther of the partiis, bot symplie to await upoun thair calling under the said pane, certifeing thame that dois in the contrair, that thay salbe callit and accusit at particular dyettis as seditious personis, movaris of troubill, and the panis contenit in the saidis Actis salbe execute upoun thame with all rigour and extremitie in exempill of utheris.

Lord Ross.

Levingstoun of Hanyng.

[Holyrood House, 30th August.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Willelmus Dominus Ruthven. Dominus Hay de Yeistir. Magister Thomas Makcalyeane de Cliftounhall. Clericus Registri. Clericus Justiciarie.

Inglisman. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Johnne Glanfeild, Inglisman, procuratour and attorney for Nicolas Salus, Inglisman, and the remanent awnaris of the schip callit the Cultemalindeis. Marie Galland, makand mentioun.—That quhair Laurence Bruce of Cultemalindeis wranguslie and violentlie intromettit with the said schip and haill gudis being thairin in the moneth of Maii last bipast, schö than being at hir lauchfull trade of fischeing in Zeitland; quhilk schip being brocht to Leyth, arreistment wes maid thairupoun be Petir Narne in Dunde, acclamying hyre for saling of the said schip fra Brakilsey to Zeitland, allegeit to nyne pund sterling; and thairupoun hes intentit actioun befoir the Admirall depute, quhairthrow the said schip is stayit to the said complenaris havy dampnage and skayth, lyke as at mair lenth is contenit in the said complaint. Quhilkis being considerit be the Regentis Grace and Lordis of Secreit Counsale,—and thay willing to schaw all ressonabill favour to the said Johnne Glanfeild that gudelie thay may—ordanit and ordanis ane maser to pas and lowse the said arreistment maid upoun the said schip, quhairthrow the saillis and uther hir furniture stayit be vertew thairof may be randerit and deliverit agane, to the effect schö may depart at hir pleasour, reservand actioun to the said Peter Narne for the said hyre to be persewit befoir the Regentis Grace and Lordis foirsaidis as efferis.

[Edinburgh, 2d September.] Caution for Alexander Burnfeild.

The quhilk day, Adam Patersoun in Grenelaw and Patrik Veche thair, become actit and obleist cautionaris and souirteis, conjunctlie and severalie, for Alexander Burnfeild secund sone to umquhile Thomas Burnfeild broder to umquhile Stevin Burnfeild of Grenelawdene, that the said Alexander sall behave himself as ane dewtifull and obedient subject to our Soverane Lord, his Regent, authoritie and Wardane in tyme cuming; that he sall observe and keip his Hienes peace, quietnes, and gude rewle in the cuntre; and sall on na wayis invade, persew, molest, or troubill the suirname of Haitleis or thair partakaris utherwayis nor be ordour of law and justice in tyme cuming; under the pane of fyve hundrith merkis; and als that the said Alexander Burnfeild sall not resset, supple, nor intercommoun with Stevin Burnfeild, Thomas Burnfeild, Adam Burnfeild, and Williame Burnfeild sonnis of the said umquhile Thomas, nor with Alexander Burnfeild and Patrik Burnfeild brethir sonnis to James Burnfeild of Quhythous, and George Burnfeild his sone naturall, nor furneis thame meit, drink, hous, or herbry in tyme cuming, under the pane foirsaid. And attour, in cais thay or ony of thame sal happin to be hurt, slayne, or mutilat, be the Haitleis or ony utheris our Soverane Lordis liegis in tyme cuming, that it salbe repute na cryme nor offence to the said Alexander, nor he sall not

beir querrell, deidlie feid, nor use revenge thairfoir, siclyke under the pane abonewrittin. And lykewis that in cais the said Alexander contravene this band heireftir, thay bind and obleissis thame, conjunctlie and severalie, as said is, to entir him befoir our Soverane Lord his Regent and Prevy Counsale quhair thay sal happin to be for the tyme, upoun ten dayis warning, to answer to sic thingis as salbe layd to his charge, under the pane abone mentionat. Sic subscribitur: Adam Patersoun and Patrik Veche, with our handis at the pen led be Johnne Andro at our command, becaus we can not wryte.

[Edinburgh, 3d September.] Caution for Lord Maxwell.

The quhilk day, in presens of my Lord Regentis Grace, comperit and gaif in this band and obligatioun underwrittin, desyring the samyn to be actit and registrat in the bukis of Secreit Counsale, etc., of the quhilk the tennour follows: Be it kend till all men be thir present letters, We Johnne Blair of that Ilk, James Maxwell of Calderwod, and Roger Greirsoun of Lag, to be bundin and obleist, and be the tennour heirof bindis and obleissis us, conjunctlie and severalie, and oure airis, that Johnne Lord Maxwell, now committit to ward within the Castell of Blaknes, being fred and relevit furth of the said Castell, according to the warrand direct for that effect, sall within the space of four dayis eftir his releif pas and re-entir his persoun agane within the citie of Sanctandrois and remane in the same and thre mylis thairabout, and on na wayis eschape or eschew furth of the saidis boundis quhill he be fred and relevit, be our Soverane Lord and his rycht traist cousing James Erll of Mortoun Lord of Dalkeyth Regent to his Hienes his realme and liegis, under the pane of twenty thowsand merkis money of this realme. And attour, I the said Johnne Lord Maxwell obleissis me and my airis to warrand, releif, and keip skaythles the saidis personis my suirteis and thair airis of this present obligatioun, and of all pane and dangeare that thay or ony of thame sal happin to sustene thairthrow. [The band, which is registered, is subscribed] at Edinburgh the secund day of September, the yeir of God j^{m}v^{c}lxxvii yeris, befoir thir witnessis, Hew Mure servand to the said Johnne Lord Maxwell, James Flemyng, Johnne Maxwell, and Thomas Blair. Sic subscribitur: Johnne Blair of that Ilk. James Maxwell of Calderwod. Roger Greirsoun of Lag.

[Edinburgh, 5th September.] Caution for Thomas Symsoun.

The quhilk day, Capitane Johnne Uddart become actit and obleist cautionar and souirtie for Maister Thomas Symsoun sumtyme servand to umquhile Thomas Davidsoun ypothicar, that the said Maister Thomas sall remane within this realme and not depart furth of the samyn in tyme cuming, without speciall licence of my Lord Regentis Grace, under the pane of fyve hundrith merkis; and Johnne Symsoun minister at Kennoway obleist him to releif the said Capitane Johnne of the premissis and of all pane and dangeare that he sal happin to sustene thairthrow. Sic subscribitur: Johnne Uddart with my hand. Johnne Symsoun minister with my hand.

[Holyrood House, 8th September.] Caution for Gartuly.

[Band is presented for registration in the books of Secret Council: viz., Walter Barclay of Towy obliges him that George Barclay of Grantuly, presently in ward in Blaknes, shall, being freed, enter again into the said Castle when required. Subscribed at Banff, 30th August 1577, before Robert Innes of Kingkell, Williame Stewart servant of the Laird of Towe, James Barclay, Gilbert Barclay servitor of the Laird of Gartly, with others diverse.]

[Holyrood House, 10th September.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Joannes Comes de Montrois. Robertus Dominus Boyd. Allanus Dominus Cathcart. Robertus Commendatarius de Dunfermling. Magister Thomas Makcalyeane de Cliftounhall. Clericus Registri. Clericus Justiciarie. Advocatus.

[Sequel to the case of the ship "Marie Galland," 31st August.[1] In answer to question, John Glenfield, procurator for the owners, stated that the mark affixed to a discharge given by him upon the receipt of the ship, on the back of an Act of the Privy Council, was his own proper mark, made by him because he could not write. Gilbert Thorntoun, admiral clerk, asks instrument.]

[Holyrood House, 11th September.] Keir.

Sederunt—Domini ut in die predicto.

Anent oure Soverane Lordis letters rasit at the instance of James Striveling of Keir, makand mentioun—That quhair upoun the first day of November last bipast, it plesit my Lord Regentis Grace to direct in custody to the said James, Johnne Littill of Cassok, as plege in place of Nickie Littill, to be ressavit and kepit in the said James hous and cumpany, unput to libertie quhill he had command thairto in writt, under the pane of twa thowsand pundis contenit in the Act maid anent the saidis plegis, according to the quhilk the said James ressavit the said Johnne, and kepit him straitlie unto the tyme that Robert Maxwell of Langholme directit his letter to the said James, maist hartlie and ernistlie desyring him to let the said Johnne haif libertie in the said James cumpany, obleissand him that gif he eschapit or eschewit furth of his handis, that he sould owther entir himself to the said James agane, or ellis ane uther of his freindis sic as the said Regent sould be contentit with, and to warrand the said James of all dangeare thairof, as his writting direct thairupon beris; and he, respecting the said Nickeis lawtie in remaning with him, uneschewand and being movit with the said Robertis band and writting foirsaid, sufferit the said Johnne to have fre ward in the said James hous, quha hes laitlie eschewit be quhat meanis he knawis not, quhairthrow he is in dangeare to be callit and troublit thairfoir; and thairfoir, the said Robert Maxwell, upoun quhais band he gat the said libertie, and quha obleist him that he sould not eschape nor eschew, aucht and sould entir him to the said

Robert Maxwell.

[1] *Supra*, p. 630.

James agane; and to warrand and releif him of all dangeare he may incur throw his eschaping, conforme to his band and writting direct to the said James thairupoun. And anent the charge gevin to the said Robert Maxwell, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to haif hard and sene him decernit, to bring and entir agane to the said James Striveling of Keir the said Johnne Littill, and to warrand, releif, and keip him skaythles of the said pane of twa thowsand pundis, and of all dangeare, perrell, and skayth he may incur throw his said eschaping, eftir the forme and tennour of the said band and writting direct to the said James thairupoun; or ellis to allege ane ressonabill caus quhy the samyn sould not be done; with certificatioun to the said Robert and he failyeit, the said Regent and Lordis foirsaidis wald decerne in maner abone writtin,—lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and bayth the saidis partiis comperand personalie, the said James producit the said band and writting, of the dait at Edinburgh the thrid day of November, the yeir of God j^{m}v^{c}lxxvi yeris, quhilkis with divers the ressonis and allegationis of bayth the saidis partiis being hard, sene and considerit be the said Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Robert Maxwell, to bring and entir agane the said Johnne Littill to the said James Striveling of Keir, and to warrand, releif, and keip him skaythles of the said pane of twa thowsand pundis, and of all dangeare, perrell, and skayth he may incur throw his said eschaping, eftir the forme and tennour of the said band and writting direct to the said James thairupoun.

Sederunt—Rex. Jacobus Comes de Mortoun Dominus de Dalkeyth Regens. Andreas Comes de Rothes Dominus Lesly. Hugo Comes de Eglintoun Dominus Montgomery. Joannes Comes de Mar Dominus Erskin. Willelmus Dominus Ruthven Thesaurarius Scotie. Robertus Dominus Boyd. Allanus Dominus Cathcart. Robertus Commendatarius de Dunfermling Secretarius Regis. Willelmus Murray de Tullibardin Miles Computorum Rotulator. David Commendatarius de Dryburgh. Adamus Commendatarius de Cambuskynneth. Jacobus Commendatarius de Inchaffray. [Stirling, 15th September.]

Act for the Kingis suirtie.

The Regentis Grace and Lordis of Secreit Counsale considering that as our Soverane Lord the Kingis Majestie, quhome God preserve, hes bene heirtofoir cairfullie and honorablie nureist and attendit upoun in his Hienes Chalmer be his weilbelovit cousinace Annabell Countesse of Mar, fra his birth to this tyme; sa now his Hienes being cum to the twelft yeir of his aige,—and dalie incressing be the favour and blissing of God to greittar perfectioun and activitie, als weill in his persoun and abilitie of body as in his spreit and leirnyng,—hes fund it requisite, and declaris and ordanis that his Hienes frome this furth in tyme cuming, salbe servit and attendit

upoun in his Chalmer with men, committand the cair thairof to Alexander Erskin of Gogar Maister of Mar,—having alreddy the charge of the preservatioun of his Hienes persoun, and of the Castell of Striveling, quhair the same remanis,—and sic utheris as the said Alexander sall appoint to that effect, ordaning him diligentlie to attend thairupoun, as he will answer to God and his Majestie thairupoun. Declaring and testifeing alsua be thir presentis that the Countesse of Mar, in all the procedingis of hir bipast service tuicheing the nuriture and governament of his Majesteis maist nobill persoun, hes worthelie and honorablie performit hir dewitie without spot, negligence or reproche, exonerand hir thairfoir of hir said charge and commanding in his Hienes Chalmer, and willis and appointis hir to continew in lyke honour charge and attendance upoun his Majestie in all thingis as afoir, saulffing the remaning in his said Chalmer on the nycht and commanding thairin; and that schō haif the lyke acces to his Hienes Chalmer on the day, and siclyke assignatioun of money and victuallis for the support of hir plate as of befoir. And that nane of his Hienes officiaris or servandis be removed fra him, nor utheris placeit in thair charges, without speciall warrand advise and command of the said Lord Regent; and this to indure quhill forder ordour be takin heiranent be his Hienes, with avise of his said Regent and Counsall; without prejudice or derogatioun of the Act band and obligatioun maid be the said Alexander Maister of Mar and his cautioners, for keping and preservatioun of his Hienes persoun of befoir.

Tulibardin fred of his Cautioun.

The quhilk day Sir Williame Murray of Tulibardin knycht Comptrollar to oure Soverane Lord, exponit and declarit in presens of the Regentis Grace and Lordis of Secreit Counsale, that he wes obleist with certane utheris the Erll of Marris kynnismen and freindis, to freith, releif, and keip skaythles the cautionaris fund be Alexander Erskin of Gogar, tuicheing the keping of the Kingis Majesteis persoun and of the Castell of Striveling; and in respect of the present alteratioun and ordour now takin be the Regentis Grace and Counsall tuicheing his Majesteis persoun, the said Sir Williame protestit that he mycht be fred and relevit of the said souirtie and cautioun for his part, and of all pane and dangeare that may follow or be imput to him thairthrow.

[Holyrood House, 20th September.]

Sederunt—Jacobus Dominus Regens. Adam Episcopus Orchadensis. Commendatarius Dunfermling. Clericus Registri. Computorum Rotulator. Advocatus.

Scrymgeour.

Anent oure Soverane Lordis letters rasit at the instance of James Scrymgeour sumtyme in Athebetoun and indwellar in the burgh of Dunde, makand mentioun.—That quhair he having obtenit ane decreit befoir the Lordis of Counsale, with letters past thairupoun direct to the Sheref of Forfar and his deputtis, for entering of him to the landis of Clappintoun and Cal-

dernes Grene, liand within the said sherefdome, pertening to him in heretage, quhairupoun horning wes usit aganis James Scrymgeour Constabill of Dunde and certane utheris for non removing thairfra. The said complenar upoun the tent day of September instant, being passand to have tane possessioun of the saidis landis with the said officiar and ane notar in quiet and sobir maner, hopand na evill or injurie to have bene done to him, bot that he mycht haif peciablie causit use our Soverane Lordis letters; nevirtheles, the said James Scrymgeour Constabill of Dunde, Johnne Ramsay, Robert Weddirburne, Robert Forester, James Reid and Andro Urquhart, with sindry utheris his complices, eftir thay had boistit and manassit the said complenar for taking possessioun of his saidis landis, in his hame cuming be the hie gait, put violent handis in him and James Scrymgeour his sone, and perforce careit thame as presonaris to the said Constabillis place of Dudope, quhair the said complenar hes bene and is kepit captive continewalie sensyne,—usurpand thairthrow our Soverane Lordis authoritie upoun him,—and on na wayis will put him to libertie agane without he be compellit. And anent the charge gevin to the said James Scrymgeour Constabill of Dunde, to put the said complenar to libertie furth of the said place, to pas at his pleasour as our Soverane Lordis fre liege, within xii houris next eftir the said charge, under the pane of rebellioun; or ellis to have brocht and exhibit the said complenar befoir the Lordis Auditouris of Chekker at ane certane day bipast, to have hard and sene him decernit to be put to libertie as said is, or ellis to have allegeit ane ressonabill caus quhy the samyn sould not haif bene done; with certificatioun to him and he failyeit, to exhibit the said complenar the said day, the saidis Lordis wald direct utheris letters to put him to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being callit in presens of my Lord Regentis Grace and certane Lordis Auditouris of Chekker. And the said James Scrymgeour complenar comperand be James Scrymgeour his sone, and the said James Scrymgeour Constabill of Dunde comperand be Maister Thomas Craig his procuratour; thair ressonis and allegationis being hard and considerit be the saidis Lordis, and thay ryplie avisit thairwith; the Lordis Auditouris of Chekker ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and denunce the said James Scrymgeour Constabill of Dunde oure Soverane Lordis rebell and put him to the horne, and to escheit, etc.; becaus he being chargeit to have put the said complenar to libertie as said is, or ellis to have brocht and exhibit him befoir the saidis Lordis at ane certane day bipast, to have hard him decernit to be put to libertie,—or ellis to have schawin ane ressonabill caus in the contrair; with certificatioun to him, and he failyeit to exhibit the said complenar as said is, that the saidis letters sould be direct simpliciter to put him to the horne; and he comperand be the said Maister Thomas his procuratour, did not exhibit the said complenar and schaw ane ressonabill caus quhy he sould not be put to libertie as said is, lyke as wes cleirlie understand to the saidis Lordis. Scrymgeour.

[Holyrood House, 21st September.]

Sederunt—Jacobus Dominus Regens. Georgius Comes de Caithnes. Joannes Comes de Montrois. Robertus Commendatarius de Dunfermling. Clericus Justiciarie. Advocatus.

Dod, Inglisman.

Anent oure Soverane Lordis letters rasit at the instance of Williame Dod, Inglisman, merchant of Westchester, for himself and as procuratour and attornay for Rauff Reidfurde merchant of Westchester, and Johnne Biggis merchant of Carmerthen, makand mentioun.—That quhair sute being maid be thame merchantis foirsaidis, for redres and restitutioun of thre schippis and gudis being thairin, takin fra thame be Andro Quhyte piratt, and sauld be him at Quhitherne in Galloway within this realme, thair wes commissioun and directioun be oure Soverane Lordis moder and Counsale for the tyme to the Lord Hereis, than Wardane of the West Marche of this realme, to tak summar inquisitioun and tryell thairintill, and caus redres be maid to thame of the saidis schippis and gudis; quha proceding and taking ordour in the said caus, appointit and ordanit that the intromettouris with ony gudis belanging to the said schippis sould pay the dowbill alsmekill and full pryces thairfoir as thay brocht fra the said piratt; and eftir lang examinatioun and tryell tane thairof, declarit the samyn to extend to the sowme of four hundrith pund sterling, quhairof thay ressavit ane hundrith pund sterling, and ordanit the uther thre hundrith pund sterling to have bene payit to thame in maner following; that is to say, ane hundrith pundis at the first day of August nixt eftir the making of the said appointment, quhilk wes the xx day of Junii, the yeir of God j^{m}v^{c}lxv yeris, and the uther twa hundrith pundis at the xxix day of September nixt thaireftir; and for payment of the saidis sowmes at the dayis abone specifiit to the saidis complenaris or thair attornayis, umquhile

Mochrum.

Alexander Stewart of Garleis youngar and Johnne Dunbar of Mochrum become cautionaris and souirteis, conjunctlie and severalie, as the appointment maid thairupoun, subscrivit be the said Lord Wardane for the tyme and cautionaris foirsaidis, proportis. Nevirtheles, as yit thair is na payment maid to the saidis complenaris of the foirsaid sowme of thre hundrith pund sterling, according to the said appointment; throw lang want quhairof thay sustenit greit losse and skayth, the said sowme being verie small in respect of the gudis takin fra thame. And seing in the begynning ordour wes takin in the mater be summar inquisitioun as said is, thay wilbe allutirlie frustrat and delayit of payment of the sowme foirsaid, without summar and haistie executioun follow and be usit thairin, be ordour proceding fra my Lord Regentis Grace and Lordis of Secreit Counsale. Now in respect the foirsaidis cautionaris wer obleist, conjunctlie and severalie as said is, the saidis complenaris can haif na executioun bot propirlie aganis the said Johnne Dunbar of Mochrum, now onelie cautionar on lyff, quha is detbund to thame in the sowme foirsaid, and aucht to pay the samyn, and will mak na payment thairof to the said Williame Dod for himself and as procuratour and attornay foirsaid, without he be compellit. And anent the charge gevin to the said Johnne Dunbar of Mochrum, cautionar foirsaid, to have maid

payment to the said Williame Dod for himself and as procuratour and attornay foirsaid, of the said sowme of thre hundrith pundis sterling, specifiit in the appointment abone mentionat, according thairto, within thre dayis nixt eftir the said charge, under the pane of rebellioun and putting of him to the horne; or ellis to have comperit personalie befoir the said Lord Regentis Grace and Lordis of Prevy Counsale at ane certane day bipast, and schawin ane ressonabill caus quhy he sould not haif done the samyn; with certificatioun to him and he failyeit, letters sould be direct chargeing him simpliciter thairto, lyke as at mair lenth is contenit in the foirsaidis letters executioun and indorsatioun thairof. Quhilkis being callit, and the said Williame Dod comperand personalie with Maister Thomas Craig his prelocutour, quha produceit the said obligatioun, of the dait at Caerlaverok the xx day of Junii, the yeir of God j^{m}v^{c}lxv yeris, with ane letter of procuratorie maid be the said Rauff Reidfurde for recovery of his part of the said sowme; and the said Johnne Dunbar of Mochrum comperand be Maister Johnne Scharp his procuratour, be quhome it wes exceptit peremptourlie that he sould be simpliciter absolvit fra the saidis letters;—becaus, eftir the dait foirsaid of the said obligatioun, expres commandiment wes direct fra our Soverane Lordis moder, being the authoritie for the tyme, to the said Lord Hereis, quha wes commissionar for making of the said redres, that he sould compell the said Johnne Dunbar and umquhile Alexander Stewart of Garleis, to mak payment and deliverance to him of the haill sowme of thre hundrith pund sterling restand of the said obligatioun, and gif thay refusit, to put thame in ward within the Castell of Treif, and to charge thame to entir thairin under the pane of tressoun. According to the quhilk the said Lord Hereis, in the moneth of November, the yeir of God j^{m}v^{c}lxv yeris, chargeit the said Johnne Dunbar to mak payment to him of the said sowme within ane schort space, at the leist to compeir befoir him at Drumfreis the xxvi day of the said moneth of November, bringand with him the said sowme, under the pane of tressoun. At the quhilk day he comperand and refusand, wes chargeit be the said Lord Hereis to entir his persoun in ward in the said Castell of Treif, under the said pane of tressoun; for eschewing quhairof he enterit in ward, quhair he wes compellit to remane quhill of his awin propir gudis he payit to the said Lord Hereis and utheris in his name at his command the sowme of fyftene hundrith pund Scottis, quhilk wes than the just avale of the foirsaid sowme of thre hundrith pund sterling; at the leist the sowme of xii^{c} li., quhilk is mair nor the portioun quhilk the said Williame did in his awin name and in name of the said Rauf Reidfurde may acclame, and thairfoir sould be absolvit as said is. Quhilk exceptioun and allegeance, with divers utheris the ressonis and allegationis of bayth the saidis partiis being hard and considerit be the said Lord Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith.—My Lord Regentis Grace and Lordis foirsaidis findis, in respect the said obligatioun is maid to the saidis persewaris, that the samyn and effect thairof can not be tane away bot be payment of the sowmes contenit thairin to thame, or thair attornayis in thair names, and

thair awin discharge gevin thairupoun; and thairfoir decernis and ordanis the said Johnne Dunbar to mak payment to the said Williame Dod for himself, and as procuratour and attornay for the said Rauf Reidfurde, of the sowme of twa hundrith pund sterling, as for thair part of the said sowme of thre hundrith pund sterling specifiit in the said obligatioun, conforme to the tennour thairof, nochtwithstanding the said exceptioun; without prejudice to the said Johnne Biggis to persew be himself or his procuratour for his part restand unpayit as efferis, or yit to the said Johnne Dunbar to sute his releif at the handis of the said Lord Hereis or utheris quhatsumevir as accordis.

[Edinburgh, 23d September.] Caution for Capitane Campbell.

The quhilk day Thomas Kennedy of Bargany and Patrik Bellenden of Stanehous become actit and obleist as cautionaris and souirteis, conjunctlie and severalie, for Capitane Alexander Campbell, to quhome licence is grantit to levy and tak up ane hundrith and fifty wageit men of weir, and to depart with thame to the service of the commoun welth of Flanderis; that the said Capitane sall caus the men he liftis leif upoun thair awin chargeis, without ony maner of oppressioun to be done be thame quhill thay be transportit; and that he nor thay salbe na partakar with ony subject of this realme of Scotland aganis ane uther; as alsua that he nor nane to be liftit be him as said is in thair passing to the said cuntre, sall not invade, troubill, pilye or tak geir fra ony the subjectis of this realme, nor na freindis and confiderattis thairof; that he sall not convene nor hald his men togidder within sextene mylis to the Castell of Striveling; and attour that thay sall na wayis serve with Papistis aganis Protestantis professouris of the evangell of Jesus Chryst,—under the pane of fyve thowsand merkis; and to be answerabill for the full redres of the gudis as salbe spuilyeit fra the freindis and confiderattis of this realme quhilk justlie may be cravit of the King and realme of Scotland—in the away passing of the saidis men of weir, or remaning under the said Capitanis charge,—to the awnaris thairof.

[Edinburgh, 27th Sept.] For payment of Taxatioun within Burrowis.

Forsamekill as albeit proclamatioun wes maid, chargeing all and sindry our Soverane Lordis liegis inhabitantis of the burrowis of Dunde, Linlythquow, Montrois, Perth, Cowpar in Fyff, Sanctandrois, Abirbrothok, Dysert, Kirkcaldy, Brechin, etc., that thay and ilkane of thame, weill bodin in feir of weir, sould convene and meit my Lord Regentis Grace at Drumfreis upoun the tent day of October nix to cum; and fra thyne to pas furthwart with fourty dayis victuallis and provisioun, for persute of the thevis, outlawis, and utheris perturbaris of the publict peace and quietnes, as at mair lenth is contenit in the proclamatioun direct thairupoun. Nochtwithstanding upoun humble sute maid be the inhabitantis of the saidis burrowis, and offer of taxatioun of the sowmes particularlie following to the furnissing of men of weir to supple thair rowmes and publict service, licence thairfoir is grantit to thame to remane and abyde at hame fra the said oist and army, that is to say, for the inhabitantis of the said burgh of Dunde the sowme of, etc. For payment of the quhilkis sowmes, my Lord Regentis Grace, with avise of the

Lordis of Secreit Counsall, ordanis letters to be direct, chargeing the inhabitantis of ilk burgh foirsaid, to convene and elect certane personis to stent thair nychtbouris, and to charge the saidis personis electit to accept the said charge upoun thame in setting the said stent, and to convene and make ane stent roll thairupoun as efferis within xxiiii houris nixt eftir thay be chargeit thairto, under the pane of rebellioun, etc., and gif thay failye thairin, the saidis xxiiii houris being bipast, to denunce, etc., and to escheit, etc. And siclyke the said stent being maid and set, to charge the burgessis, nychtbouris, and inhabitantis of ilk burgh, to mak payment of thair partis of the said stent, conforme to the taxt roll to be maid and gevin out thairupoun within utheris xxiiii houris nixt eftir thay be chargeit thairto, under the pane of rebellioun, etc.; and gif thay failye thairin, the saidis xxiiii houris being bipast, to denunce, etc., and to escheit, etc., and gif neid beis to poind and distrenye thair reddiest gudis and geir thairfoir, and to mak oppin durris and use our Soverane Lordis keyis to that effect.

Sederunt—Jacobus Dominus Regens. Georgius Comes de Caithnes. Joannes Comes de Montrois. Comes de Buchane. Prepositus Edinburgi. Clericus Justiciarie. Advocatus. [Holyrood House, 30th September.]

Anent oure Soverane Lordis letters rasit at the instance of Robert Davidsoun in Fawlayis, Dand Davidsoun of Lempetlaw, Jokke Davidsoun in Dennerles, and Watte Middlemaist in Scharprig, makand mentioun.—That quhair Williame Ker youngar of Cesfurde Wardane of the Middill Marche of this realme, hes laitlie fylit the saidis complenaris in ane bill of Sir Thomas Gray of Chillinghame, Inglisman, of four oxin and ane naig allegeit stollen or resset be thame; and be ressoun of the said fyling the saidis complenaris hes bene constranit to mak payment to the said Sir Thomas Gray of the sowme of ellevin scoir pundis money of this realme, as for the singill avale and dowbill of the said bill; and swa hes payit the same compleitlie and relevit our Soverane Lord and Wardane thairof. Howbeit in veritie thay ar altogidder saikles, of all steling having or resetting of the saidis gudis, and ar content to abyde tryell thairanent, according to the law of Marcheis, upoun the pane and dangeare of thair lyffis gif upoun sufficient and lauchfull tryell befoir my Lord Regentis Grace and Prevy Counsale thay salbe fund worthelie fylit. And anent the charge gevin to the said Williame Ker Wardane foirsaid to compeir personalie befoir the said Lord Regent and Lordis of Secreit Counsale at ane certane day bipast, bringand with him sic pruif and testimony as he had or wald use for informatioun of the said Lord Regentis Grace and Counsale, that thay mycht understand the saidis complenaris to be worthelie and lauchfullie fylit of the said bill be him; and further to have answerit to sic thingis as sould haif bene further inquirit of him in that behalf; or ellis to have allegeit ane reassonabill caus quhy the samyn sould not haif bene done; with certificatioun to him and he failyeit, the saidis complenaris souldbe declarit and decernit quite and fre of the said bill and sowme abone Davidsonis. Cesfurde.

writtin, and the said Wardane compellit to pay the same agane to thame, with coistis, skaythis, and dampnages sustenit be thame thairthrow, according to the saidis lawis of Marcheis and justice; lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit upoun the sext day of August last bipast, and the saidis complenaris comperand personalie, and the said Williame Ker Wardane comperand be Robert Menteith his servand and procuratour,—the said Robert produceit and declarit the names of xiii personis as ane acquittance for tryell of the saidis complenaris, according to the ordour observit in sic caissis; quhilkis personis being admittit, sworne, and examinat in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, hes be thair declaratioun all in ane voce clengeit and acquit the saidis complenaris thortout saikles of all steling, having or resetting of the saidis gudis or ony part thairof. Quhairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, declaris and decernis the saidis complenaris quit and fre of the said bill and sowme abonewrittin; and ordanis the said Williame Ker Wardane foirsaid to pay the same agane to thame with all coistis, skaythis, and dampnage sustenit be thame thairthrow, according to the saidis lawis of Marcheis and justice.

Protestatio Dunde.

The quhilk day, in presens of my Lord Regentis Grace, comperit personalie James Lovell and Alexander Ramsay burgessis of Dunde, and protestit—that the present taxatioun of fyve hundrith pundis grantit be thame in name of the Provest, Baillies, Communitie and Inhabitantis of the Burgh of Dunde, for licence gevin for thair remaning fra the oist, raid, and army appointit to convene at Drumfreis upoun the tent day of October nix to cum, providit to remane during the space of fourty dayis thaireftir, for persute of the thevis, outlawis, and utheris troublaris of the publict peace and quietnes of the twa realmis,—sall not prejuge the saidis Provest, Baillies, and Inhabitantis, nor be as preparative in the payment of the lyke taxation in tyme cuming, bot that thay be onelie subject to the payment of thair partis pro rata, with utheris burrowis of this realme as efferis.

[Holyrood House, 4th October.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Augusie. Georgius Comes de Caithnes. Comes de Buchane. Robertus Commendatarius de Dunfermling. Magister Thomas M°Calyeane de Cliftounhall. Clericus Registri. Advocatus.

The Regentis Grace and Lordis of Secreit Counsale, considering the tent day of this instant moneth of October now to approche, at quhilk his Hienis liegis—within the boundis of the Sherefdomes of Edinburgh Principall, and within the Constabularie of Hadingtoun, Berwik, Roxburgh, Selkirk, Peblis, Renfrew, Dunbartane, Striveling, Linlythquow, Clakmannan, Kinross, Perth, Fyff, Forfair, and Kincardin, and Stewartreis of Stratherne and Menteith,—ar chargeit be proclamatioum to convene and meit his Grace at Drumfreis, and fra thyne to pas furthwart with fourty dayis

victuallis and provisioun, for persute of thevis, outlawes, and utheris perturbaris of the publict peace and quietnes of this realme, as at mair lenth is contenit in the proclamatioun direct thairupoun. Nochtwithstanding,—the sessoun of the yeir and present lait hervist, with the brukkilnes of the weather being considerit,—his Grace is movit in respect thairof, and upoun certane utheris necessary occasionis and considerationis, to continew and prorogat his passage to Drumfreis unto the first day of November nix to cum. And thairfoir ordanis letters to be direct, chargeing officiaris of armes to pas and mak publicatioun of the premissis be oppin proclamatioun at the marcat croces of the burrowis of Edinburgh Principal, Hadingtoun, Dunse, Jedburgh, Selkirk, Lawder, Peblis, Renfrew, Dunbartane, Striveling, Linlythquow, Clakmannan, Kinross, Perth, Cowpar in Fyff, Forfair and Kincardin, that nane pretend ignorance of the same; and to command and charge all and sindry his Hienes liegis betuix sextie and sextene yeris, and utheris fensabill personis dwelland alsweill to burgh as to land, within regalitie as ryaltie, within the boundis of the saidis Sherefdomes and Stewartreis, that thay and ilkane of thame, weill bodin in feir of weir, according to the said first proclamatioun, addres thame selffis, to convene and meit his Grace at Drumfreis the said first day of November, providit to remane during the said space of fourty dayis, conforme to the formar proclamatioun direct thairfrom, and under the panis contenit in the samyn.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Andreas Comes de Rothes. Hugo Comes de Eglintoun. Georgius Comes de Caithnes. Willelmus Dominus Ruthven. Episcopus Glasguensis. Commendatarius Dunfermling. Clericus Registri. Clericus Justiciarie. Computorum Rotulator. Advocatus. [Holyrood House, 10th October.]

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be Capitane Hary Balfour, lait Colunnell of the Scottis cumpanyis that servit in Holland under the obedience of the Prince of Aurange, and last under the commandiment of the Estaittis in the Law Cuntreis, freindis and confiderattis to our Soverane Lord and this his realme, makand mentioun.—That quhair now eftir his returning frome service in the saidis Law Cuntreis, the Estaittis thair being constranit to renew the weir for thair just defence, thair is certane commissionis laitlie brocht in this realme in name of the King of Spanye and the Estaittis of his Law Cuntreis, appointand the said Capitane Hary as Colunnel ower certane cumpanyis of futemen of this natioun under his regiment, to be levyed and transportit to the saidis Law Cuntreis for the service of the saidis Estaittis, as the saidis commissionis at mair lenth beris; humelie desyring thairfoir licence to stryke drummis, display handsenzeis, and lift and collect the saidis cumpaneis of futemen, and at the first commoditie to transport thame, lyke as at mair lenth is contenit in the said supplicatioun; quhairwith wes gevin in and presentit the said commissioun send to the said Capitane Hary, of the quhilk the tennour followis:— Act anent the departing of the men of weir to Flanderis.

Nous, Prélatz Nobles et Députez, des villes représentanz les Estatz Généraulx des pays de par-deça etc. Avons pour le service du Roy notre Sere, la deffence préservation et sceurte desdictes payis de par-deça, commes et commectons par cestes, Chief et Colonell d'ung régiment de dix enseignes de pretons Escossoyis, le Sieur Henry Balfour, en luy donnant plain pouvoir auctorité et mandement especial, de prendre et avoir seigneulx reguard sur leur conduicte, les tenir et faire tenir en bon ordre discipline et justice, deffendre et interdire aux Capitanes et leurs lieuxtenans, de donner congé à aulcunque sans son sceu et ausurplus, avon commandement sur ceulx et leurs gens, et les mener conduire et emploier audicte service selon la charge que par cestes le requerons ; du traictement pour sa personne de v^{c} ℔., pour son lieutenant ii^{c} ℔., pour le Sergeant Major i^{c} ℔. ; pour le quartier Maistre iiii^{xx} ℔., pour le prévost lx ℔., pour deux hallebardiers chagung à seize livres faict xxxii ℔., et deux sergeantz du prévost chagung à douze livres xxiiii ℔., remennent toutes les dictes parties ensemble à la soume de neuf cens quatrevinque seize livres et quarante gros monnoye de Flanderis la livre par chagung moys, icelluy compte à trente jours, à commencer avoir cours doiz le jour de leur premiers moustre, et dela evanant tant et si longuement que trouvera convenir et nécessarie, et à rate et advenant du temp quil sera en service, a en estre paye et contente par celluy quil appertiendra et des deniers que pour ce luy seront ordonnez auquel mandons ainsi le faire ; et en rapportant cesmesmes presentes, vidimus on coppe auctenticque duelles pour une et la première fois et pour tant de fois, que mestier sera quictance dudict Colonel sur et servant tant seullemont, tout et quil aura payé à la cause dicte luy sera passé et alloué en la despence de ses comptis et rabatta des deniers de sa recepte là et ainsi quil appertiendra, sans alcune difficulté. Faict à Bruxelles souvz le sell des Estatz de Brabant çy mys en placcart à notre requisition le viii^{me} jour de Septembre quinze cens soixante dix sept. Par ordonnance expresse des dicts Sieurs des Estatz Généraulx. Sic subscribitur : Cornelius Weollemans.

Quhilk commissioun, with the said supplicatioun, being red, sene, and considerit be the Regentis Grace and Lordis of Secreit Counsale, and thay understanding that the saidis Estaittis hes presentlie ado for the commoun weill and support of thair cuntre, and that our cuntre men, quhilkis of befoir hantit in the wearis ar desyrous to be in service ; remembering alsua how honorablie and thankfullie thay wer delt with be the saidis Estaittis at thair last being in Brabant and departing thairfra ; in respect quhairof and of the gude amytie and nychthourheid that hes continewit betuix the twa Kingis and thair realmis in tyme past, and of the assurance of ayde, favour, and supple to be schawin to this natioun in cais of the lyke occasioun in tyme cuming.—The Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, grantis and gevis licence to the said Capitane Hary Balfour and the Capitanis electit and chosin be him under his regiment, to stryke drummis, display enseignes, and lift and collect the saidis cumpanyis of futemen, and at the first commoditie to transport thame at thair pleasour.

The quhilk day, David Prestoun of that Ilk become actit and obleist cautionar and souirtie for Capitane Edward Prestoun, to quhome licence is grantit to levy and tak up twa hundrith wageit men of weir, and to depart with thame to the service of the Estaittis and commoun welth of the Law Cuntreis; that the said Capitane sall caus the men he liftis leif upoun thair awin chargeis without ony maner of oppressioun to be done be thame quhill thay be transportit; and that he nor thay salbe na partakaris with ony subject of this realme of Scotland aganis ane uther, as alsua that he nor nane to be liftit be him as said is in thair passing to the saidis cuntreis sall not troubill, pilye or tak geir fra ony subject of this realme, nor na freindis and confideratis thairof; that he sall not convene nor hald his men togidder within sextene mylis to the Castell of Striviling; that thay sall na wayis serve Papistis aganis Protestantis professouris of the evangell of Jesus Chryst; and attour, that he sall not tak away in his cumpany ony landit men prohibit to depart be Act of Parliament without speciall licence grantit to thame; under the pane of fyve thowsand merkis, and to be answerabill for the full redres of all sic gudis as salbe spuilyeit fra the freindis and confiderattis of this realme, quhilk justlie may be cravit of the King and realme of Scotland, in the awaypassing of the saidis men of weir, or remaning under the said Capitanis charge, to the awnaris thairof. Sic subscribitur: Craigmyllar. [Edinburgh, 16th October.] Caution for Capitane Prestoun.

[Other licences for levies in like terms.[1]]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Hugo Comes de Eglintoun. Andreas Comes de Rothes. Georgius Comes de Caithnes. Adam Episcopus Orchadensis. Magister Willelmus Baillie Dominus Provand. Presidens. Prepositus Edinburgi. Clericus Registri. Clericus Justiciarie. Advocatus. [Holyrood House, 23d October.]

Forsamekill as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsale, that be contract maid betuix Sir Walter Ker of Cesfurde knycht for himself, and takand the burding upoun him for his bairnis and utheris of his surname, assistaris, and partakaris, on the ane part; and umquhile Sir Walter Scot of Branxholme knycht, and utheris of his surname, assistaris, and partakaris on the uther part; all feidis, slauchteris, and blude committit be ayther of thame aganis utheris, at ony tyme preceding the dait of the said contract—quhilk is at Edinburgh the xxiiii day of Marche, the yeir of God j^{m}v^{c}lxiiii yeris—wes reconcilit and ordanit to be bureit and put under perpetuall silence and oblivioun in all tymes thaireftir. Nochtwithstanding, as the Regentis Grace is informit, the said feid is newlie gevin up, freindschip dischargeit, and deidlie hatrent and grudge proclamit, quhairupoun forder inconvenient is liklie to follow, to the troubling of the gude and quiet estate of the cuntre gif tymous remeid be not providit. And thairfoir his Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing the said Sir Walter Ker Kerris. Scottis.

[1] Names in Index of excluded names.

of Cesfurde knycht in the ane part, and Walter Scot of Goldelandis on the uther part, to compeir in quiet and sobir maner, accumpaneit ilkane of thame with twenty personis, thair freindis, befoir my Lord Regentis Grace and Lordis of Secreit Counsale at Halyruidhous, or quhair it sal happin thame to be for the tyme upoun the tent day of Januare nix to cum, to declair the particular caussis of the geving up of the said feid, that upoun tryell had thairof ordour may be tane thairintill as appertenis for the weill and quietnes of the cuntre in tyme cuming, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne. And,—to the effect that na thing salbe attemptit in the menetyme to hinder the said gude ordour to be takin,—to command and charge bayth the saidis partiis to subscrive sic forme of assurance, ayther of thame to uther, as salbe presentit unto thame, to induir unto the last day of the said moneth of Januare; quhairthrow materis may be the bettir and mair quietlie handillit, to the commoun quietnes of the cuntre, within four dayis nixt eftir thay be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, the saidis four dayis being bipast, letters salbe direct simpliciter to put thame to the horne, and to escheit, etc.

[Holyrood House, 25th October.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Hugo Comes de Eglintoun. Joannes Comes de Montroise. Comes de Glencarne. Georgius Comes de Caithnes. Robertus Dominus Boyd. Alexander Dominus Saltoun. Hugo Dominus Somervile. Adam Episcopus Orchadensis. Magister Willelmus Baillie Dominus Provand Presidens. Advocatus.

Mochrumis Decreit.

Anent oure Soverane Lordis letters, rasit at the instance of Sir Johnne Dunbar of Mochrum knycht, makand mentioun.—That quhair sute being maid be Williame Dod Inglisman marchant at Westchester, for himself, and as procuratour and attornay for Rauff Reidfurde marchant of Westchester and Johnne Biggis marchant at Carmarthen, for redres and restitutioun of thre schippis and gudis being thairin, inbrocht to the port of Quhitherne in Galloway be Andro Quhyte Inglisman, ane allegeit piratt, in the moneth of Julii or thairby, the yeir of God $j^{m}v^{c}lxv$ yeris, commissioun wes gevin, be our Soverane Lordis dearest fader and moder than bering authoritie, to Johnne Lord Hereis for tryell quhat personis intromettit with the gudis inbrocht in maner foirsaid, and according to the quantitie of thair intromissioun, to mak payment thairof to the awnaris according to the dowbill avale; conforme to the quhilk commissioun the said Lord Hereis procedit and tuke tryell in maner foirsaid, be the quhilk it wes fund that the dowbill avale of the foirsaidis gudis intromettit with at the said port of Quhitherne extendit to the sowme of four hundrith pundis sterling, quhairof thair wes payit in hand to the awnaris of the gudis foirsaidis the sowme of ane hundrith pund sterling; and for the remanent thairof, extending to the sowme of thre hundrith pund sterling, the said Lord Hereis

compellit the said Sir Johnne Dunbar and umquhile Alexander Stewart apperand of Garleis, becum bund and obleist, conjunctlie and severalie, at termis of lang tyme bipast, to the effect that the saidis awnaris sould not have ane multitude to crave for the said sowme; and for the samyn caus the said Williame Dod and his collegis transferrit in the said Sir Johnne Dunbar and the said umquhile Alexander all rycht and titill, and all actioun and instance that thay mycht haif aganis the saidis utheris particular intromettouris with the gudis foirsaidis, to the effect that thay mycht be relevit of thair said obligatioun. And trew it is alsua, that be maist rigorous handilling the said Sir Johnne Dunbar wes compellit to mak payment of the said haill sowme of his awin propir geir, to the said Lord Hereis and to Johnne Cheisholme comptrollar of the artaillierie, be speciall command of oure said Soverane Lordis dearest fader and moder—quha tuke upoun thame to satisfie the saidis strangearis, awnaris of the saidis gudis; and nevirtheles the said Sir Johnne is unjustlie troublit be the said Williame Dod for the said sowme. Nochtwithstanding, the personis underwritten, intromettouris in particular with the avale, quantitie and pryces of the gudis afterspecifiit and inbrocht at the said port, sauld and disponit to thame be the said Andro Quhyte and the personis underwrittin, thair souirteis, airis, executouris,—at the leist intromettouris with the gudis of ane uther part of the saidis particular intromettouris as is eftir specifiit,—will on na wayis freith, releif and keip the said Sir Johnne Dunbar skaythles, every ane for thair awin partis as followis, howbeit thay be bund thairto, and that he hes maid compleit payment thairof as said is without thay be compellit;[1] thay are to say, Patrik M^cGowne Provest of Quhitherne, for nynetene punsionis of wyne, pryce of the punsioun fyftene pundis—summa, fourtene scoir and ten pundis; item, ane hundrith pund wecht of plum damus, pryce of the stane xiii ß. iiii đ.—summa, v lĭ.; George Martyne in Portyarrok, ane punsioun of wyne, pryce xv lĭ.; Margaret M^cKe and Dene Johnne Martine, vicar of Longcastell hir spous for his interes, twa punsionis of wyne—pryce xxx lĭ.; Symon M^cCulloch of Myretoun, souirtie for umquhile Thomas M^cClellane in Cultis, quha wes addettit for wyne and freise, fourty twa pundis; Patrik M^cKe of Larg, souirtie for Duncane M^cKe burges of Quhitherne, quha wes addettit for ane punsioun of wyne, price xv lĭ.; Robert Pyper in Portyarrok, and Williame Forester of Kydisdaill, air to umquhile George Forrester, souirtie for the said Robert, quha wes addettit in ane punsioun of wyne, xv lĭ.; Petir Akinheid in Quhitherne, ane punsioun of wyne, xv lĭ.; Williame Forester, air to umquhile George Forester his fader, quha wes addettit for xii elnis of freise, pryce iiii lĭ. xvi ß.; Andro Dunbar, burges of Quhitherne, souirtie for Christie Wallis thair, quha wes addettit for ane punsioun of wyne, price xv lĭ.; Johnne Gordoun of Barskeoch, souirtie for Williame Inglis his servand for ane punsioun of wyne, xv lĭ.; item mair, the said Johnne Gordoun cautioun for umquhile Johnne M^cKynnoch in Barnkorky, twa punsionis of wyne, xxx lĭ.; item, the said Johnne Gordoun cautioun for umquhile Johnne M^cCulloch in Barholme, twa punsionis of

[1] See vol. i. pp. 336, 431, 438, 503.

wyne, xxx ℔.; Alexander Hannay of Sorby, souirtie for Thomas M°Culloch in Balfairne for twa punsionis of wyne, xxx ℔., and for fyve elnis of kelt, xl ß.; Andro M°Clennoquhen in Clairend, ane punsioun of wyne, pryce xv ℔.; David Murray of Brochtoun executour at the leist intromettour with the gudis and geir of umquhile Johnne Murray in Orchartoun, quha wes addettit in the sowme of sevin pundis, iiii ß. for kelt; Thomas M°Dowell of Dunnance, thre punsionis of wyne, pryce thairof fourty fyve pundis; Henry Corntoun in Quhitherne for sex punsionis of wyne, pryce thairof four scoir ten pundis; Johnne Craufurd, air to umquhile Alexander Craufurd of Balgregan, his fader, for the rest of ane punsioun of wyne coft be the said umquhile Alexander, sevin pundis x ß.; Alexander Stewart of Garleis eldar, for ellevin punsionis of wyne, pryce thairof aucht scoir fyve pundis; Alexander Stewart of Garleis, sone and air to umquhile Alexander Stewart of Garleis youngar, his fader, for sex punsionis of wyne, pryce four scoir ten pundis; item mair, the said umquhile Alexander, as cautioun for umquhile Frances Murray in Quhitherne, for twa punsionis of wyne and certane freise, pryce thairof fourty twa pundis; Margaret Hannay, and Patrik Molling hir spous for his interes, ane punsioun of wyne, pryce xv ℔.; Maister Robert Stewart in Glassertoun, twa punsionis of wyne, pryce xxx ℔.; Johnne Gordoun of Craichlaw, sone and air to umquhile Williame Gordoun his fader, quha wes restand awand for ane punsioun of wyne and certane freise, pryce thairof sextene pundis xvi ß.; Alexander M°Culloch of Killaser for the rest of ane punsioun of wyne, xi ℔. x ß.; Williame Forester, sone and air to umquhile George Forrester his fader, quha wes cautioun and souirtie for Niniane Kenyeoch in Quhitherne for kelt, sex pundis; Thomas M°Ke of Monygof, and Johnne Gordoun of Lochinvar his cautioun for twa punsionis of wyne, pryce xxx ℔.; George Stewart burges of Quhitherne, for twa punsionis of wyne, pryce xxx ℔., and for kelt and freis, viii ℔.; Williame M°Cairlie in Quhitherne for fifty twa elnis of kelt, pryce of the elne viii ß.—summa, xix ℔. iiii ß.; Agnes Hannay, relict and intromettour with the gudis and geir of umquhile Nicolas Murray, for twa punsionis of wyne, pryce xxx ℔.; Fergus Clugstoun in Quhitherne, for ane punsioun of wyne, xv ℔., and for freise, v ℔.; Dene Williame Tailyefeir, vicar of Cringiltoun, for ellevin ellnis freise, pryce iiii ℔. viii ß.; Elizabeth M°Guffolk, intromettour with the gudis and geir of umquhile Besse M°Dowell hir moder in Portnessok, quha wes addettit for ane punsioun of wyne, xv ℔., and Johnne Dowglas, spous to the said Elizabeth for his interes; George Kersane in Tynnorgy, for sex elnis kelt, pryce xlviii ß.; Patrik M°Ke of Craignyne, intromettour with the gudis and geir of umquhile Archibald M°Ke of Strathfurd, for ane punsioun of wyne, xv ℔.; Williame Dunbar in Balscheir, addettit for wyne and kelt, xxxvi ℔. And anent the charge gevin to the personis particularlie abone specifiit, to freith, releif and keip the said Sir Johnne Dunbar of Mochrum skaythles of the said sowme, ilkane for thair awin partis respective, and to that effect to content and pay to him thair partis and portionis thairof particularlie abone mentionat, within thre dayis nixt eftir the said charge, under the pane of rebellioun and putting of thame to the horne; or ellis to have

comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and schawin ane ressonabill caus quhy thay sould not have done the samyn; with certificatioun to thame and thay failyeit, utheris letters sould be direct chargeing thame simpliciter thairto, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The said Sir Johnne Dunbar comperand personalie, with Maister Johnne Scharp his prelocutour, and the foirsaidis personis chargeit as said is being oftymes callit and not comperand. The Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing the foirsaidis personis particularlie abone mentionat, to freith, releif and keip the said Johnne Dunbar skaythles of the foirsaid sowme, ilkane of thame, for thair awin partis respective, and to that effect to content and pay to him thair partis and portionis thairof particularlie abonespecifiit within sex dayis nixt eftir thay be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thay or ony of thame failye thairintill, the saidis sex dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc., becaus the saidis personis being chargeit to have fred, relevit and maid payment in maner foirsaid, or ellis to have comperit personalie befoir his Grace and the saidis Lordis at ane certane day bipast, and schawin ane ressonabill caus in the contrair; with certificatioun as is abone mentionat. And thay being lachfullie chargeit as said is to this effect, oftymes callit, comperit not to allege ony ressonabill caus quhy, etc., lyke as wes cleirlie understand, etc.

Anent oure Soverane Lordis letters rasit at the instance of Sir Johnne Dunbar of Mochrum knycht, aganis Symon M°Cristene in Clousche, for payment to the said Sir Johnne of the pryces of certane wyne lynning hemp and kelt, quhairin the said Symon is addettit as air and intromettour with the gudis and geir of umquhile George M°Crystene, his broder; and that for a part of the said Sir Johnnes releif of ane greittar sowme mentionat and contenit in the foirsaidis letters direct thairupoun. Quhilkis being callit, and the said Sir Johnne Dunbar comperand personalie with Maister Johnne Scharp his prelocutour, and the said Symon M°Crystene comperand be Maister Thomas Harvy his procuratour, the said Maister Thomas denyit that the said Symon wes ayther air or intromettour with the gudis and geir of his said umquhile broder. Quhairfoir my Lord Regentis Grace, with avise of the saidis Lordis, admittis that part of the saidis letters to the said Sir Johnnes probatioun, and assignis to him the xv day of November nix to cum for preving thairof; and ordanis him to have letters to summond sic witnessis as he will use to that effect, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale the said day, to beir leill and suithfast witnessing in sa far as thay knaw or salbe sperit at thame in the said mater, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failye, letters salbe direct simpliciter to put thame to the horne; and in the menetyme continewis, etc., bayth the saidis partiis warnit heirto apud acta. Mochrum. M°Cristene.

Dingwell of Kildun.

Anent the charge gevin be vertew of oure Soverane Lordis letters to Johnne Dingwell of Kildun, to compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to answer to sic thingis as sould be inquirit of him at his cuming, tending to the gude ordour and quietnes of the Erledome of Ross, under the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failyeit, he sould be denunceit rebell and put to the horne, lyke as at mair lenth is contenit in the foirsaidis letters. Quhilkis being callit, and the said Johnne Dingwell comperand personalie, and Johnne Urquhart, in name of Walter Urquhart Sheref of Cromarty, being alsua personalie present, the said Johnne, in name of the said Shereff, accusit the said Johnne Dingwell as a contravenar of the Actis of Parliament forbiddand to schute at wyld beist, da, ra, and uther vennesoun, in sa far as he, with his complices to the nowmer of xvi personis, in the moneth of September last bipast, and at divers utheris tymes preceding, come to the Forrest of Bray within the erldome of Ross, pertening heretablie to the said Shereff, and thair slew with hagbuttis, bowis, and pistolettis xv or xvi greit deir, to his greit hurt and skayth, and manifest contempt of our Soverane Lordis authoritie and lawis. To the quhilk accusatioun the said Johnne Dingwell maid answer that he committit na slauchter upoun ony deir pertening to the said Sheref at ony tyme, except ane deir schot and slayne be him with ane arrow about the Feist of Midsomer last bipast. Quhairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, in respect of the said Johnne Dingwellis confessioun maid in maner foirsaid, ordanis him to be put to the knawlege of ane assyise for contravening of the foirsaid Actis of Parliament in maner abone writtin, and justice to be ministrat upoun him as accordis.

[Holyrood House, 5th November.]

Sederunt—Jacobus Dominus Regens. Andreas Comes de Errole. Georgius Comes de Caithnes. Dominus Somervile. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Commendatarius de Culross. Advocatus.

Barthill Strang of Cultemalindeis.

Anent oure Soverane Lordis letters rasit at the instance of Barthill Strang of Woisgarth in Zeitland aganis Laurence Bruce of Cultemalindeis, for compelling of the said Barthillis wyff, in the moneth of Maii last bipast, to pay the Bischoppis dewitie callit the bischoppis umbois in Zeitland, quhilk he hes in tak and assedatioun, thre monethis befoir the terme of payment contenit thairin, the said Barthill being for the tyme furth of this realme; and als for the stopping of the said Barthill to pas to his voyage to Birroun in Norroway, in the moneth of August last bipast, and compelling him and his marinaris aganis his will to fury the said Laurence, with his gudis and cumpany to the nowmer of xxiiii personis, fra Zeitland to the burgh of Dunde, quhair he ressavit his gudis, and wald not pay the said Barthill his fraucht, lyke as at mair lenth is contenit in the foirsaidis

letters. Quhilkis being callit, and the said Barthill comperand be Arthour Sinclair of Ayth his procuratour, and the said Laurence being alsua personalie present with Maister Johnne Prestoun his prelocutour, be quhome it wes allegeit that the said Barthill wes preparit the tyme foirsaid to cum fra Zeitland to this cuntre, and send to the said Laurence desyring him to cum with him in his said schip, and promittit to transport him, his gudis and cumpany, hither without payment of ony fraucht thairfoir. Quhilkis allegeance being fund relevant, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, admittis the same to the said Laurence probatioun, and for preving thairof assignis to him the xxiiii day of Marche nix to cum; and siclyke admittis that part of the saidis letters, tuicheing the compelling of the said Barthillis wyff to mak payment of the said bischoppis dewitie thre monethis befoir the terme of payment in maner foirsaid, to the said Barthillis probatioun; and for preving thairof assignis to him the secund day of December nix to cum; and ordanis bayth the saidis partiis to have letters to summond witnessis under the pane of rebellioun and putting of thame to the horne; and als ordanis the said Barthill to be warnit to compeir personalie the said xxiiii day of Marche nix to cum, to gif his ayth de columpnia gif he hes just caus to persew the saidis letters or not, with certificatioun to him and he failye, absolvitour salbe gevin thairfra; and in the menetyme continewis the said mater, etc., bayth the saidis partiis warnit heirto apud acta.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Andreas Comes de Errole. Georgius Comes de Caithnes. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Computorum Rotulator. Advocatus. [Holyrood-house, 8th November.]

Anent oure Soverane Lordis letters rasit at the instance of Johnne M°Conill sone and apperand air to James M°Conill of Castell Cammis, makand mentioun.—That quhair at the Feist of Lambmes last bipast or thairby, Coline Erll of Ergyle directit his missive writting, desyring the said Johnne to repair unto him for sic occasionis as he sould understand at his cuming, at quhais desire the said Johnne repairing unto him hoping na injurie nor occasioun of displeasour to haif bene offerit unto him, in respect he had nevir offendit him in thocht, word, or countenance, nayther had he committit ony offence meriting to haif bene ony wayis evill handillit; nochtwithstanding, the said Erll, immediatlie eftir the said Johnnes cuming to him as said is, causit transport him fra Inneraray, quhair the said Erll wes for the tyme, to his place of Inchechonell, and thair put him in irnis, quhairin he hes bene detenit continewalie sensyne, lyke as he is yit; and that becaus he wald not aggre to sic unressonabill desyris as nayther law nor honestie wald allow; committand heirthrow usurpatioun of our Soverane Lordis authoritie, and manifest oppressioun, the said Johnne being his Hienes fre liege man, reddy and answerabill at all tyme to the James M°Conill. Erll Ergyle.

lawis of this realme, and on na wayis will put him to libertie and fredome agane, and suffer him to pas as his Majesteis fre liege in tyme cuming without he be compellit. And anent the charge gevin to the said Coline Erll of Ergyle to have put the said Johnne M°Conill to libertie and fredome, and sufferit him to pas as our Soverane Lordis fre liege, for doing of his lefull erandis and bissines in tyme cuming at his pleasour, within sex dayis nixt eftir the said charge, under the pane of rebellioun and putting of him to the horne; or ellis to haif brocht and exhibitit him befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have hard and sene him decernit to haif bene put to libertie as said is; or ellis to have schawin ane ressonabill caus quhy the samyn sould not be done; with certificatioun to the said Erll and he failyelt, letters sould be direct, chargeing him simpliciter to put the said Johnne to libertie as said is, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and Maister David Borthuik Advocat to our Soverane Lord, comperand for and in the name of the said Johnne M°Conill, and the said Erll comperand be Maister Thomas Craig his procuratour, thair ressonis and allegationis being hard and considerit be the Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Coline Erll of Ergyle yit as of befoir to put the said Johnne M°Conill to libertie and fredome, and suffer him to pas as oure Soverane Lordis fre liege, for doing of his lefull erandis and bissines in tyme cuming at his pleasour, within sex dayis nixt eftir the said Erll be chargeit thairto, under the pane of rebellioun, etc.; and gif he failyeis thairin, the saidis sex dayis being bipast, to denunce him rebell and put him to the horne, and to escheit, etc., becaus the said Erll being chargeit to have put the said Johnne to libertie and fredome in maner foirsaid, or ellis to have brocht and exhibit him befoir the Regentis Grace and Lordis foirsaidis at ane certane day bipast, to haif hard him decernit to be put to libertie, or ellis to have schawin ane ressonabill caus as said is, and the said Erll comperand be the said Maister Thomas Craig his procuratour, did not exhibit the said Johnne nor yit schew ony ressonabill caus in the contrair, lyke as wes cleirlie understand to the Regentis Grace and Lordis foirsaidis.

[Holyrood House, 19th November.]

Sederunt—Jacobus Dominus Regens. Willelmus Dominus Hay de Yeistir. Dominus Somervile. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Commendatarius de Culross. Advocatus.

Mochrum.

[Sir Johnne Dunbar of Mochrun cautioner for the intromitters with the goods of certain Englishmen taken to Whithorn by Andro Quhyte pirate[1] states that] Symon M°Cristene of Clousche, air and intromettour with the gudis and geir of umquhile George M°Cristene his broder, on na wayis will

[1] See minute, dated 25th October 1577, p. 644.

freith, releif, and keip the said Johnne Dunbar skyathles of his part of the said sowme, and to that effect content and pay to him the sowme of sex scoir pundis for aucht punsionis of wyne and fourty pundis for lynning hemp and kelt, intromettit with be the said umquhile George his broder, without he be compellit. And anent the charge gevin to the said Symon M°Cristene, to freith relief and keip the said Johnne Dunbar skaythles of his part of the said sowme, and to that effect to content and pay to him the said sowne of aucht scoir pundis, as for the said Symonis part and portioun thairof, within thre dayis nixt eftir the said charge, under the pane of rebellioun and putting of him to the horne; or ellis to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast and schawin ane ressonabill caus quhy he sould not haif done the samyn, with certificatioun to him and he failyeit, utheris letters sould be direct chargeing him simpliciter thairto, lyke as at mair lenth is contenit in the foirsaidis letters. Quhilkis being callit and the said Johnne Dunbar comperand be Maister Johnne Scharp his procuratour, and the said Symon M°Cristene comperand be Maister Thomas Harvy his procuratour; the ressonis and allegationis of bayth the saidis partiis being hard and considerit be the Regentis Grace and Lordis of Secreit Counsale, and thay ryplie avisit thairwith.—My Lord Regentis Grace, with avise of the saidis Lordis, ordanis letters to be direct, chargeing the said Symon M°Cristene as intromettour with the gudis and geir of his said umquhile broder, to freith, releif, and keip the said Johnne Dunbar skaythles of his part of the said sowme, and to that effect to content and pay to him the foirsaid sowme of aucht scoir pundis as for the said Symonis part and portioun thairof, within thre dayis nixt eftir he be chargeit thairto, under the pane of rebellioun, etc.; and gif he failyeis thairin, the saidis thre dayis being bipast, to denunce him rebell and put him to the horne, and to escheit, etc.; becaus the said Symon M°Cristene being chargeit to freith, releif, and to mak payment in maner abonewrittin, or ellis to compeir befoir the Lord Regentis Grace and Lordis foirsaidis and schaw ane ressonabill caus in the contrair;—and he comperand be the said Maister Thomas Harvy his procuratour, quha denyit that he wes ayther air or intromettour with the gudis and geir of his said umquhile broder, and that part of the saidis letters being admittit to the said Johnne Dunbarris probatioun, and ane certane term being assignit to him for preving thairof,—previt sufficientlie that the said Symon wes intromettour with his said umquhile broderis gudis and geir, lyke as wes cleirlie understand to the Regentis Grace and Lordis foirsaidis.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Andreas Comes de Errole. Joannes Dominus Maxwell. Dominus Somervile. Robertus Commendatarius Dunfermling. Clericus Justiciarie. Advocatus. [Holyrood House, 6th December.]

[Williame Ker younger of Cesfurde having obeyed the decree obtained Cesfurde.

against him at the instance of certain Davidsons [1]] and now seing that the said Williame in doing of his office upoun report maid to him, according
Dandy Tait. to the lawis of the Bordeouris [by Dandy Tait] is burdynnit with the releif of the executioun of his awin decreit, he be the samyn lawis aucht to haif his releif of the reportar foirsaid. And anent the charge gevin to the said Dandy Tait to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to haif hard and sene him decernit to releif the said Williame Ker of the said bill, and to that effect to content and pay to him the said sowme of ellevin scoir pundis, with coistis skaythis chargeis and expenssis, contenit in the said decreit and letters foirsaidis obtenit aganis him thairupoun; or ellis to have allegeit ane ressonabill caus quhy the samyn sould not have bene done; with certificatioun to the said Dand and he failyeit, the Regentis Grace and Lordis foirsaidis wald decerne in maner abonewrittin, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. The said Williame Ker comperand be Robert Menteith his servand and procuratour, and the said Dandy Tait being oftymes callit and not comperand. My Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, decernis the said Dandy Tait to releif the said Williame Ker of the said bill, and to that effect to content and pay to him the said sowme of ellevin scoir pundis with coistis, skaythis, chargeis and expenssis contenit in the said decreit and letters foirsaidis obtenit aganis him thairupoun.

Mr. Nicholl Elphingstoun. Anent oure Soverane Lordis letters rasit at the instance of Maister Nicoll Elphingstoun of the Schank, makand mentioun.—That quhair upoun the tent day of December, the yeir of God j^{m}v^{c}lxxvi yeris, he obtenit ane decreit befoir the Lordis of Counsale aganis the parrochynnaris, fewaris, fermoraris, tenentis, takkismen, rentallaris, and utheris intromettouris with the thridis of the Abbay of Newbottill and superplus thairof, not assignit to the sustentatioun of the ministerie of the kirkis of the samyn, decerning thame to mak payment to the said Maister Nicoll of ane yeirlie pensioun of the sowme of twa hundrith pundis grantit to him be our Soverane Lord, with avise of James Erll of Mortoun Lord of Dalkeyth, Regent to his Hienes, his realme and liegis, furth of the reddiest of the superplus of the thrid of the said Abbay not assignit to the ministerie as said is, of the crop and yeir of God j^{m}v^{c}lxxv yeris; and siclyke yeirlie in tyme cuming during his liftyme; quhairupoun he obtenit letters in the four formes, and
Badinheth. thairwith causit charge Robert Boyd of Badinheth to mak payment to him of the sowme of fourty pundis, as for his part of his pensioun foirsaid restand in his handis unassignit to the ministerie furth of the landis of Monkland, of the croppis and yeris of God j^{m}v^{c}lxxv and lxxvi yeris. And becaus the said Robert dissobeyit all the four chargeis, the said Maister Nicoll causit denunce him rebell and put him to the horne upoun the xxi day of October last bipast, sen the quhilk tyme he hes contempnandlie remanit

[1] See p. 639, 30th September 1577.

at the said proces of horne. [Accordingly, having failed to appear before my Lords as charged, they ordain him to enter in ward within the Castle of Blaknes, remaining there at his own expenses until he obtain himself relaxed from the process of horn.]

Denunce Andro Sympill.

Anent oure Soverane Lordis letters rasit at the instance of Alexander Callendar, minister of Goddis word at the Kirk of Largis in Cunynghame, makand mentioun.—That quhair in the moneth of Julii last bipast Andro Maister Sympill, without ony occasioun offerit be the said Alexander, maist cruellie wald haif schot him with ane pistoll upoun the grene of Largis, being gangand betuix David Boill and Mathow Montgomery, wer not the said Andro wes stayit of his wickit purpois be the said David Boyll; and thaireftir send the said Mathow Montgomery to the said Alexander, dischargeing him to cum in his way, under the pane of deid. And upoun the xxiii day of October last the said Andro Sympill continewing in his wickit and ungodlie mynd, come to the place of Sowthennane quhair the said Alexander presentlie dwellis, and with ane drawin swerd unawaris wald have slayne him, wer not be Goddis providence he wes stayed be Robert Huntar of Hunterstoun; lyke as the said Andro proceding in his formar impietie aganis conscience and justice, laitlie upoun the fyft day of November last bipast come, accumpaneit with thre or four personis, to the place of Sowthennane the yettis thairof being stekit, and violentlie and be force brak up the same yettis with greit sparris and jeistis, and without mercy wald have slayne the said Alexander wer not be Goddis providence David Fairlie of that Ilk, and Williame Craufurde of Drumsey come for his help and relief; quhairthrow he dar not repair in thay partis for administratioun of the word of God for feir of his lyff. [The said Andro Sympill failing to appear to answer to the complaint, is denounced rebel and put to the horn.]

[Holyrood House, 10th December.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Andreas Comes Errolie. Joannes Comes de Montrois. Georgius Comes de Cathnes. Comes de Sutherland. Willelmus Magister de Merschell. Willelmus Dominus Ruthven. Laurencius Dominus Oliphant. Joannes Dominus Maxwell. Dominus Somervile. Allanus Dominus Cathcart. Robertus Commendatarius Dunfermling. Robertus Commendatarius de Deir. Magister Willelmus Baillie Dominus Provand. Clericus Justiciarie. Advocatus.

Blankschew Francheman.

Anent oure Soverane Lordis letters rasit at the instance of Lyon la Blankschew, indwellar in Bertangne, maister of ane schip callit the Perundaill of Morbian, makand mentioun.—That quhair in the moneth of October last bipast he arryvit at the port and havin of Irwin, ladin with certane greit salt and uther marchandice pertening to divers indwellaris of the toun of

Irwin; and becaus of the dangeare for schippis to remane in the oppin raid foranent the same, eftir the said Lyoun had disburdynnit his said schip of ane greit part of hir laidnyng he causit transport hir to the raid of Littill Cumray, under the Lard of Fairleis place, upoun hir ankir, neirby the schoir on the eist syde within half ane flicht schot to land, to remane thair quhill wind and weddir mycht serve for hir returning agane to the partis of Bertaigne; hoping in the mentyme to have sustenit na stay, troubill, persute, nor impediment, in respect of the gude freindschip and amytie standing betuix the realmis of France and Scotland. Nochtwithstanding Allan Dunlop sone to Dunlop of that Ilk, Robert Craufurde in Glasgow, Johnne Boyd in Menyboill, Thomas Andersoun marinar in Glasgow, James Craufurde in Innerkip, James Pawtoun pyper, Henry Prestoun in Air, Allane Mure in Irwin, Gawin Hammiltoun in Glasgow, Costene Rankene in Largis, Archibald Aitkin in Air, Johnne Myllar in Innerkip, Williame Kery and Williame Bell, with utheris thair complices to the nowmer of xxiiii personis or thairby, with ane greit boit burdit and enterit perforce in the said Lyonis schip upoun the xxii day of October last bipast about midnycht, tuke the samyn with hir haill apparalling and furnissing, and careit hir with certane puyr marinaris being thairintill to Lumlasche within the Yle of Arrane, quhair thay set thame all on land, the said Lyon with the conter maister and marchant being in this menetyme within the said toun of Irwin, as ane testimoniall of the Provest and Baillies of the same, declaring the haill premissis to be of veritie, at mair lenth proportis. Qnhilkis personis spuilyearis foirsaidis hes alreddy, at the leist intendis schortlie to depart to the seyis with his said schip in oppin rubbery, quhairupoun forder inconvenient is abill to follow, to the brek of the gude peace and bringing on of weare, gif tymous remeid be not providit. [The persons complained upon, and also John Craufurd, brother of Thomas Craufurd of Jordanhill, by whose persuasion "it is brutit" the deed was committed, failing to appear to answer to the complaint, are denounced rebels.]

[Holyrood House, 14th December.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis. Joannes Comes de Montrois. Georgius Comes de Caithnes. Willelmus Dominus Ruthven. Robertus Commendatarius de Dunfermling. Magister Willelmus Baillie Dominus Provand. Clericus Registri. Computorum Rotulator. Advocatus.

Anent oure Soverane Lordis letters, rasit at the instance of Johnne Crooke, Bernard Cartmyll, Thomas Demaresk, marchantis of the toun of Sowthamptoun, and Thomas Holfurde of Heath in the countrie of Southamptoun, awnaris of the schip and gudis respective and particularlie underwrittin, makand mentioun.—That quhair in the moneth of Maii, the yeir of God $j^{m}v^{c}lxxiiii$ yeris, Johnne Smyth and his collegis Inglismen being in the schip callit the Michaell of Southamptoun, and the said Thomas Holfurde

and his cumpany being in the schip callit the Mynioun of Southamptoun, at lesum trade of fischeing in Zeitland in quiet and sobir maner eftir thay had aggreit and payit thair dewitie to the Fould of the cuntre, according to the accustumat use thairof, hoping to have ressavit na injurie nor skayth of ony Scottismen, bot rather to have bene favourablie interteneit at thair ressonabill chargeis as neid had requirit. Nevirtheles Lord Robert Stewart Fewar of Orkney, be him self, his men or servandis in his name, of his causing, sending, resetting, command, assistence, and ratihabitioun,—about the xii day or thairby of the said moneth of Maii, the yeir of God abone-writtin, tuke the foirsaidis schippis with the maisteris, marinaris, and haill gudis being thairin, and handillit thame as innemeis, fenyeing and inventing aganis thame sumtyme ane cryme and sumtyme ane uther, schoring and mannassing thame with present deith, wranguslie and violentlie than spuilyeit and withheld fra the saidis Johnne Crooke, Bernard Cortmyll, and Thomas Demaresk furth of the said schip callit the Michaell, the gudis eftirspecifiit, of the quantitie and pryces following, than appertenyng to thame as thair awin propir gudis equalie, and being thane in thair possessioun, lyke as the samyn wes divers monethis immediatlie preceding the spoliatioun thairof;—viz., ane hundrith quarteris of salt, pryce of ilk quarter xviii ß. sterling, quhilk amontis to lxxxx ℔. sterling; item, xxiiii tunnis of beir with the cask, pryce of ilk tun, liii ß. iiii ₫., amounting to lxiiii ℔. sterling; item, fourty hundrith birskett, at xiii ß. iiii ₫. the hundrith, amonting to xxvi ℔. xiii ß. iiii ₫. sterling; item, furth of the same schip of money xv ℔. xvii ß. sterling; ane hundrith and twenty pairis of maid hois, at ii ß. vi ₫. sterling the pair, amonting to xv ℔. sterling; four punschionis full of maid schone, pryce of the pair owerheid xii ₫. sterling, amonting to xxiiii ℔. sterling; xiii lynning sarkis at ii ß. the pece, summa xxvi ß. sterling; item, in lynis and hukis, xvii ß. sterling; item, the said schippis ordinance being twa myonis, twa falconis, and twa falconettis, with the pulder and bullettis to the valu of lxviii ℔. x ß. sterling, extending in the haill to the sowme of sterling. And likewyis the said Lord Robert be himself, his servandis and complices, wranguslie than spuilyeit and withhaldis the said schip callit the Mynioun with hir mastis, saillis, cabillis, ankeris, ordinance, pulder, and bullet, with the schip, boit, raipis, and furnitour, to the valu of ane hundrith thre scoir pundis sterling, and furth of the said schip the gudis eftirspecifiit of the valu and pryces following, the samyn schip and gudis than appertening to the saidis Barnard Cortmyll and Thomas Holfurde as thair propir schip and gudis equalie, and being in thair possessioun, lyke as the samyn wes divers monethis immediatlie preceding the tyme foirsaid of the spoliatioun thairof;—that is to say, fourty quarteris of salt, amonting to xxxvi ℔. sterling; item, ten tunnis of beir with the cask, amonting to xxii ℔. sterling; item, furth of the same schip callit the Mynioun in money, vi ℔. xv ß. viii ₫. sterling; item, xiiii C pund wecht of birsket breid, at xiiii ß. iiii ₫. the hundrith, amonting to ix ℔. vi ß. viii ₫. sterling; item, twa punsionis full of maid schone, contening xxi dosane of pairis, pryce of the pair owerheid xii ₫. ster-

ling, amonting to xii ℔. xii ʃ. sterling; item, xvii lynning sarkis at ii ʃ. sterling the pece, amonting to xxxiiii ʃ. sterling; item, lxxxiiii pairis of maid hois, pryce of the pair ii ʃ. vi ₫. sterling, amonting to x ℔. x ʃ. sterling; item, in huikis and lynis l ʃ. vi ₫. sterling; summa totalis, sterling; ilk pund sterling abonewrittin extending to vi ℔. Scottis money; quhilk schip callit the Mynioun and haill furnitour and gudis being within bayth the schippis foirsaidis, the said Lord Robert as yit wranguslie detenis and withhaldis fra the saidis complenaris awnaris thairof respective abonespecifiit, and sufferit the said Johnne Smyth and the cumpanyis of bayth the saidis schippis to depart with the foirsaid schip callit the Michaell empty and tume. Attour, and besydes the samyn, the saidis Barnard Cortmyll and Thomas Holfurde hes sustenit the loss and dampnage eftir specifiit, throw want of the said schip callit the Mynioun, proffeit and commoditie—of the vayagis and fraucht thairof in the said Lordis defalt continewalie sen the tyme foirsaid of the spoliatioun of the samyn to the space of thre yeiris and ane half last bipast,—quhilkis thay mycht haif had of the said schip in fraucht gif schö had maid vayage to France, Flanderis, and utheris foreyne partis yeirlie during the said space, extending yeirlie be gude estimatioun during the space foirsaid in fraucht to the sowme of thre scoir pundis sterling; lyke as the saidis complenaris mycht have had and reportit samekill proffeit of the said schip in fraucht yeirlie gif the same had not bene wranguslie takin as said is, expres aganis all equitie and conscience, and contrair the peace and amytie standing betuix the realmis. And for redres of the schip and gudis abonewrittin,—actioun being laitlie intentit befoir my Lord Regentis Grace and Lordis of Secreit Counsale aganis the said Lord Robert be Williame Miteschaw, Inglisman, merchant of the toun of Southamptoun, as procuratour substitute be the said Barnard Cortmyll for him self, and as principall procuratour for the remanent awnaris foirsaidis,—it wes objectit aganis the sufficiency of the power and commissioun of the said Williame Miteschaw substitute foirsaid, and swa the haill awnaris abonespecifiit of the schippis and gudis respective abonewrittin, hes now maid and gevin ane commissioun in maist ampill and sufficient maner to the saidis Williame Miteschaw, Robert Oldcoate marchant in Southamptoun, Thomas Salisburry gentilman in Berwik, and certane utheris, conjunctlie and severalie, specialie nemmyt in the said commissioun, to persew for redres of the schip and gudis abone expremit; as alsua hes ratifiit and approvit all thingis done and persewit in the said caus be the said Williame Miteschaw procuratour substitute foirsaid in tyme bigane, as the said commissioun in the self at lenth proportis. [Parties being called, the complainers appearing by Robert Oldcoate and Mr. Robert Strang their procurators, and the said Lord Robert Stewart being present with Mr. John Scharp his prelocutor], be quhome it wes allegeit and exceptit peremptourlie that he sould be simpliciter alsolvit fra the said summondis, becaus bayth the saidis schippis libellit being schortlie, viz., be the space of monethis befoir the tyme libellit, furneist, outred, and rekit furth frome certane portis of the realme of

England, furneist with men and munitioun to piracie; and Johnne Smyth, quha is be the said summondis confessit to be maister of ane of the saidis schippis, being than and divers yeris immediatlie preceding ane notorious pirat, and quha had reft divers merchantis, and specialie the yeir immediatlie preceding had spuilyeit and reft David Rusman, liand than with his schip and gudis in the Port of Skalloway in Zeitland, quhair in piracie he with his complices reft fra the said David his haill schippis ladynning of fischeis, extending to the nowmer of ten thowsand peill fischeis, killing and ling, with twa last of buttir and oyle, monting to , to the avale of fourtene hundrith dolouris. And bayth the saidis schippis, immediatlie befoir the tyme of the said spoliatioun, havand travellit foranent divers partis of the coistis of Orknay and Zeitland, with thre sindry flaggis in thair schippis berand the armes and badge of Scotland, Ingland, and France, quhilkis thay as thay thocht the tymes and places convenient for the abusing of sic personis as mycht cum in thair way; and at last bayth the saidis schippis arryvit about the moneth of Maii, the yeir of God libellit, at the said Port of Skalloway in Zeitland, the said Thomas Holfurde ane of the allegeit awnaris being than present in cumpany with thame; and thair ane greit part of thair equippage being set on schoir reft and spuilyeit fra the cuntre men nixt adjacent to the said port ane greit nowmer and quantitie of bestiall, upoun occasioun quhairof the said Lord Robert being Juge Ordinar, Sheref Principall, and greit Fold of the cuntreis of Orknay and Zeitland,—and forder, havand speciall commissioun to execute the lawis upoun pirattis and malefactouris reparing towardis thay partis,—causit atteche and arreist the said Johnne Smyth and the principallis of his equippage, and specialie the said Thomas Holfurde, quha wes than present in cumpany with him, to underly the law and jugement of ane assyise for sic crymes as quhairof thay wer suspect. And in the Court haldin at the said Port of Skalloway Bankis in Zeitland, the xiiii day of Maii, the yeir of God j^{m}v^{c}lxxiiii yeris, the said Lord causit ane assyise of the personis underwrittin be sworne in presens of the saidis Jonnne Smyth, Thomas Holfurde, and thair complices, opponand na thing aganis the samyn; thay ar to say, Williame Sinclair, Johnne Umphra, Thomas Johunestoun, Jacob Pait, Johnne Gudlait, Nicoll Thomassoun, Derik Few Ducheman, James in Skalloway, Erasmus in Gertht, David Strang, Magnus Halcro, Johnne Hammiltoun, Magnus in Howiff, Magnus Petersone, Magnus Olasone, Poll Magnisone, Erasmus Ingott, Walter in Strand, Malcolme Halcro, Andro Mowatt, Robert Sinclair, Thomas Murdy, Andro Gifhart, Henry Halcro, and Thomas Boyn, extending in the haill to xxv personis of the maist honest and leist suspect of the haill cuntre. In presens of the quhilkis personis of assyise the said Johnne Smyth and his saidis collegis being desyrit to produce thair cokquet and sey breif, gif thay ony had, or ane testimoniall out of quhat toun thay come, and to quhat effect thay come in Zeitland; answerit that thay had nowther cokquet, sey breif, nor testimoniall. And at that same tyme the said Johnne Smyth being accusit that he being in Zeitland in the yeir of God j^{m}v^{c}lxxi yeris, ressavit

ane coip bill as ane marchand, gevand him licence to mak marcat in the cuntre, quha abusing the said coip bill nevir hantit marchandice be vertew thairof, bot past away within four or fyve dayis immediatlie thaireftir; and wes alsua accusit that at the samyn tyme of his said accusatioun, he had with him in cumpany, divers personis quhilkis committit piracie upoun the said David Rusman in the samyn port and watter of Skalloway. And being alsua accusit, that at the said arryvall he enterit not his schip and gudis and ressavit ane coip bill according to the maner and custum of the cuntre, he being requirit thairto; and als being accusit that the said Johnne Smyth and his foirsaidis partinaris, and specialie the said Thomas Holfurde and thair equippage, wer set out in piracie in the said bark callit the Mynioun,—quhilk wes confiderat with the said uther schip callit the Michaell—and that thay come to Zeitland, thair to have set thair coip, and to have obtenit ane testimoniall that thay wer marchantis, and thaireftir to have past in piracie,—quhilk wes confessit be the said Johnne Smyth and Thomas Holfurde, Williame Crukefurde, and George Duff, Inglismen; quhilkis haill pointis being referrit to the knawlege of the said assyise; the said assyise all in ane voce,—in respect of the said Johnne Smyth and his complices confessioun grantand that thay had nowther cokquet, sey breif, nor testimoniall as become marchantis to have, and thay having with thame in cumpany the pirattis quhilkis had bereft the said David Rusman befoir as said is;—and it being alsua tryit befoir the saidis personis of assyise be the declarationis of the saidis Thomas Holfurde, Williame Crookfurde, and George Duff, awnaris of the said bark, that thay wer all confiderat with the said Johnne Smyth to pas in piracie, and that thay come to Zeitland principallie to have obtenit ane coip bill that thay mycht cullour thameselffis to be marchantis, and thaireftir to have exercit thair piraticall deidis upoun the fischearis of Hamburgh, Bremaris and Hollandaris, as thay mycht find maist expedient,—and for the cullouring of thair saidis wickit deidis at the selling of thair gudis reft be piracie, to have usit the said coip bill for ane fals testimoniall that thay wer marchantis, and had justlie conqueist thair saidis gudis.—Quhilkis being ryplie considerit be the said assyise, thay all in ane voce convicted the said Johnne Smythe, Thomas Holfurde, and thair complices of piracie, and ordanit the saidis schippis to be escheit and the personis to be puneist eftir the will of the said Lord Robert. And nevirtheles the saidis personis schortlie thaireftir be quiet maner schippit all thair gudis in ane of the schippis callit the Michaell, and under silence of nycht, the wind servand, departit and left the uther schip callit the Mynioun upoun the schoir empty, without ony men or gudis thairin. And swa in cais the said Lord, or ony utheris at his command, had mellit with the said schip, thay did nowther wrang nor spuilye, bot aucht to be simpliciter absolvit thairfra, not onelie in respect of the said decreit standing unreduceit, bot als becaus the said schip allegeit intromettit with wes left voyd and emptie as said is. Quhilk exceptioun proponit in maner foirsaid, the said Lord Robert Stewart restrictis to the quantitie of the gudis and pryces thairof

underwrittin intromettit with be him, for the quhilkis he proponis the said exceptioun; that is to say, the bark callit the Mynioun with hir saillis and ankeris, thre barssis, twa compassis, ane sand glass, twa falconattis, twa half myonis, twa half sacharis. For the quhilkis the said Lord Robert deliverit to the saidis Barnard Cartmyll, Johnne Smyth, Thomas Holfurde and thair complices about the tyme libellit ellevin pece of his artaillierie, viz., thre dowbilll slangis, aucht dowbill barsis; item, coft fra thame be the said Lord, xii pair of hoisis, pryce of the pair x ß.; thre pair of schone, pryce of the pair vi ß.; item, sevin barrellis drinking beir, drukin be the said Lordis servandis the tyme of the keping of the said schip, with twa barrellis birsket breid; and denyit the rest of the said summondis. Quhilk exceptioun being fund relivant, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, admittis the same to the said Lord Robertis probatioun, and to that effect ordanis commissioun to be gevin to Maisteris Jherome Cheyne Archedene of Zeitland, and Gilbert Foulsy superintendent within the boundis of Zeitland conjunctlie,—to examinat befoir thame at Skalloway Bankis in Zeitland, upoun the xv, xvi, xvii, xviii, xix, and xx dayis respective of Maii nixtocum, assignit peremptourlie, sic personis as he will use for preving of the samyn exceptioun; and to report thair depositionis and declarationis agane befoir his Grace and Lordis foirsaidis upoun the tent day of Junii nix thaireftir. Attour, his Grace, with avise of the saidis Lordis, hes admittit and admittis the rest of the said summondis denyit as said is to the saidis complenaris probatioun; and to that effect ordanis commissioun to be direct to the Maior and Shereffis of the toun of Southamptoun in Ingland, conjunctlie and severalie, to examinat befoir thame, within the toun of Southamptoun—dalie fra the xv day of Februare nix to cum to the xxv day of the same inclusive—sic personis thair as best knawis the veritie in the said mater, and to report thair depositionis and declarationis agane, with sic uther writtis and probatioun as thay will use befoir his Grace and Lordis foirsaidis the xv day of Apryle nix thaireftir, assignit be thame for the first terme of probatioun. And ordanis the saidis complenaris to have letters to summond witnessis to the samyn day, under the pane of rebellioun and putting of thame to the horne. And in the menetyme continewis the said mater in the samyn forme, force, and effect as it is now, but prejudice of party, unto the dayis particularlie abonewrittin,—bayth the saidis partiis warnit thairto apud acta. Be it alwayis understand that in caise ony personis be ressavit as witnessis be the said Maior and Shereffis of Southamptoun that wer marinaris, and of the equippage of the saidis schippis the tyme libellit, or that ony personis be ressavit as witnessis be the saidis Maisteris Jherome and Gilbert Foulsy, that ar men tenentis or servandis to the said Lord,—or utherwayis ony utheris personis for ayther of the partiis not admissabill of the law,—the Regentis Grace and Lordis foirsaidis, at the report of thair depositionis and objectionis than to be maid, will, nochtwithstanding, haif consideratioun quhidder the samyn sall mak full fayth, and be admittit as sufficient

probatioun for ayther of the saidis partiis or not as accordis. [Here follows the commission to the Mayor and Sheriffs of Southampton, recapitulating the foresaid narrative, and requesting them to inquire into and report to the Privy Council as to the part of the summons denied by the defender.]

[Holyrood House, 21st December.]

Sederunt—Domini ut in die predicto.

Forsamekill as my Lord Regentis Grace and Lordis of Secreit Counsale, being informit of certane disorderis and provocatioun of troubles laitlie attemptit and fallin out within the Sherefdomes of Striveling and Clakmannan ewest to our Soverane Lordis persoun, betuix the freindis and dependaris of Johnne Erll of Mar Lord Erskin, and Williame Lord Levingstoun—to the contempt of his Majestie and his authoritie, and disturbing of his Hienes peace and the publict quietnes of this realme. The said Lord Regent, be his effectuus letters direct to the saidis Erll of Mar and Lord Levingstoun, requirit the said troubill and occasioun thairof to be removed be the mediatioun of thair wyise and indifferent freindis, promissing his awin furtherance to the gude and spedy conclusioun thairof; desyring alsua the saidis Erll and Lord in the menetyme of his travellis that all persute, offering of injurie and provocatioun of troubill mycht ceise and be left of be thame and all thairis. Nochtwithstanding the quhilk, as the said Regent and Counsall ar credible informit, Williame Menteith of West Kerse, and Johnne Levingstoun youngar of Donypace, hes send and directit ayther of thame to utheris, cartellis and writtingis of reproche and defamatioun, contenyng manifest provocatioun of troubill persute be way of deid and displeasour, to follow betuix thame thair friendis and servandis at the first occasioun; as thoch thair wer na law nor justice within our realme for decisioun of thair querrellis and contraversiis; without feir or reverence of our Soverane Lord and his authoritie, and to the apparent further troubill of his Hienes peace, gif tymous remeid be not providit. [Williame Menteith of West Kerse is therefore charged to enter in ward in Blaknes, and John Levingstoun in the Castle of Doune—remaining there till order be taken regarding these troubles.]

[Holyrood House, 24th November.] [? December.]

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be David Harper messinger, makand mentioun.—That quhair he having thre sindry letters deliverit, to be execute be him,—ane rasit at the instance of James Richertsoun of Smetoun, aganis Coline Erll of Ergyle, ane uther at the instance of Johnne M^{c}Conill, alsua aganis the said Erll, and the thrid chargeing the same Erll, to entir and present befoir my Lord Regentis Grace and Lordis of Secreit Counsale Allister Dow M^{c}Allane V^{c}Ewin Camroun and Johnne Cam his broder, at ane certane day contenit in the saidis letters,—as he that become obleist in the bukis of Secreit Counsale to that effect, past upoun the xx day of November instant for putting of the saidis letters to executioun, lyke as the said

David upoun the samyn day, at the partis of Lochayk in Ergyle, apprehendit the said Erll personalie, gaif him the charge, conforme to the saidis letters, and offerit to him thre severall copiis of the samyn, hoping in the menetyme to have ressavit na stop, hinder, nor injurie, bot eftir the using of his office to have returnit agane without harme at his pleasour. Nochtwithstanding, not onelie refusit the said Erll to ressave the copiis of the saidis letters, bot in the menetyme in his awin presens, certane of his houshald men, and utheris his tenentis and servandis—Hieland men quhais names ar unknawin to the said David Harper—to the nowmer of ane hundrith personis, of the said Erllis speciall causing and command, violentle layd handis upoun the said David, perforce tuke the saidis letters fra him, proudlie and contemptuuslie raif the blasoun and armes fra his breist, put ane widdy about the nek of James Boyd ane of his witnes, and schorit thairwith to hang him, except he declarit quhat utheris letters the said David had to execute aganis the said Erll; spuilyeit him of his claythis, purse, and sex pundis of silver being thairin; and at last, eftir mony bauch straikis and mannassingis maid for his slauchter, causit him oppinlie to sweir nevir to repair agane in thay boundis to execute ony letters upoun the said Erll, or ony utheris in the name of our Soverane Lord and his said Regent, under the pane of his lyff; and eftir the said swering, deliverit to him agane his claythis and purs, with xxiiii ß. of the said silver being thairin, and withheld the rest with the saidis letters fra him, in hie and manifest contemptioun of our Soverane Lordis authoritie and lawis. [In respect whereof, my Lords ordain the said Earl to be charged by open proclamation at the market crosses of Striveling and Dunbartane, the same being as lawful as if charged personally or at his dwelling-place.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Georgius Comes de Caithnes. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Advocatus. [Holyrood House, 1st January.]

[Colin Earl of Ergyle and John Campbell of Caddell, became sureties to enter before the Privy Council Allister Dow M^{c}Allane V^{c}Ewin Camroun, and John Cam his brother, when required, under a penalty of £1000.] And anent the charge gevin to the said Coline Erll of Ergyle, ane of the cautionaris abone writtin, to have enterit and presentit the saidis Allister Dow and Johnne Cam his broder, befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have answerit to quhatsumevir thingis sould have bene laid to thair charge, conforme to the foirsaid Act, and under the said pane of ane thowsand pundis contenit thairin; with certificatioun to him and he failyeit, he sould be decernit to incur the said pane, and letters of poinding and distrenyeing of the reddiest of his landis, gudis, and geir sould be direct for uptaking of the samyn and payment making thairof to our Soverane Lordis Thesaurare in his Hienes

name in forme as efferit, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being divers tymes callit, and the said Coline Erll of Ergyle not comperand, nor yit the saidis Allister Dow and Johnne Cam being presentit, conforme to the said charges. My Lord Regentis Grace thairfoir, with avise of the saidis Lordis of Secreit Counsale, decernis the said Coline Erll of Ergyle to have incurrit the said pane of ane thowsand pundis; and ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, arreist, appryis, compell, poind and distrenye the said Erll his reddiest landis, gudis, and geir; and failyeing of his movabill gudis, to appryis his landis, conforme to the Act of Parliament, to the avale and quantitie of the said sowme, and mak our Soverane Lordis Thesaurare, in his Hienes name, to be payit thairof for the caussis foirsaidis.

[Dalkeith, 8th January.] Forsamekill as it is providit be lovabill Actis and statutis that of all wynis arryvand, our Soverane Lord salbe first servit of the best and reddiest, to the furnissing of his Hienes hous; and the Regentis Grace understanding that sic personis as bringis hame wynis, brekkis bowke thairof and sellis and disponis the same at thair pleasour, befoir the same be taistit and waillit for the provisioun of the houssis of his Hienes and his said Regent. Thairfoir ordanis letters to be direct to fense and arreist all and sindry wynis arryvit or that sal happin to arryve in quhatsumevir portis of this realme this present yeir, to remane under arreistment, unbrokin bowke within schip burde, quhill the same be sichtit, tastit, and waillit be his Hienes symleir or utheris direct to that effect; and that thay mark, uptak and intromet with ane tun of every ten tunnis of the saidis wynis to the provisioun of the houssis of his Hienes and his said Regent, and place the same in sellaris be the self, quhill the same be transportit upoun ressonabill and sufficient pryces to be thankfullie payit thairfoir, eftir consideratioun had how the same wynis wer bocht; and that the Provest, Baillies, and officiaris of every burgh and port quhair the saidis wynis ar alreddy or salhappin to arryve, caus his Hienes symleir, or sic utheris as hes and sal haif directioun for wailing and marking of the saidis wynis, be answerit and obeyit heiranent, as thay and every ane of thame will answer upoun thair obedience at thair uttirmest charge and perrell.

[Holyrood House, 14th January.] *Sederunt*—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Georgius Comes de Caithnes. Comes de Sutherland. Willelmus Magister de Merschell. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Commendatarius de Culros. Robertus Commendatarius de Deir. Computorum Rotulator. Presidens. Advocatus.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be David Wardlaw, sone to Henry Wardlaw, writtar, makand

mentioun.—That quhair upoun supplicatioun presentit to the Regentis Grace be Sir Patrik Sprewle, sacristare of the Trinity College besyde Edinburgh, berand that the few males of Wester Limphoy pertenit to him as Prebendar thairof, he obtenit his Graces deliverance, contenand command to the kepar of the Prevy Seill for staying to seill the gift of the saidis few males grantit be his Grace benevolence to the said David Wardlaw of befoir, as ane part of the commonis of the said College, quhill the mater wer tryit be his Grace quhairunto the samyn justlie appertenit, swa that thairby the said gift gevin to the said David Wardlaw is not seillit; albeit it is of veritie that the saidis few males pertenis altogidder to the commonis of the said College, and na thing to the said Prebendarie. And anent the charge gevin to the said Sir Patrik Sprewle to have comperit befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, to have hard and sene ordour takin heiranent as appertenit, lyke as at mair lenth is contenit in the said complaint. The said David Wardlaw comperand be the said Henry Wardlaw his fader, and the said Sir Patrik Sprewle being oftymes callit and not comperand. My Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, ordanis the kepar of the said Prevy Seill, to pas the said gift gevin to the said David the said Seill, conforme to the ordour, notwithstanding the command gevin of befoir in the contrair, kepand the presentis for his warrand.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Georgius Comes de Caithnes. Willelmus Magister de Marschell. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Robertus Commendatarius de Deir. Presidens. Advocatus. Prepositus de Dunde. Prepositus Edinburgi. [Holyrood House, 17th January.]

[Colin Earl of Ergyle failing to appear before the Privy Council to answer to the complaint against him by David Harper, messinger, as charged,[1] my Lords ordain him to be denounced rebel and put to the horn.]

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, David Harper, messinger, wes requirit to declair the trewth, as he wald answer to God upoun the salvatioun and condampnatioun of his awin saull, and to my Lord Regentis Grace and Lordis foirsaidis upoun his lyff, of the forme of handilling of him be Coline Erll of Ergyle and his servandis in the executioun of his office upoun the xx day of November last bipast,—answerit and declarit that upoun the said xx day of November, this deponar being past to Ergyle to have execute thre sindry letters upoun the said Erll; and hering that he wes at the hunting at Lochayk in Ergyle, this deponar past to ane mylne neir thairby, and stude besyde the samyn quhill the said Erll, accumpaneit with certane his servandis, come rydand by, to quhome this deponar with his witnessis

[1] *Supra*, p. 660 (24th November).

approcheit and offerit to him the copiis of his letters, and the said Erll—persaving him, spurrit his hors and raid fra the deponar, he being sa neir that he tuicheit the countir of his hors,—and nayther wald ressave the saidis copiis nor speik to him. And the said Erll being past thre pair of but lenthis fra this deponar, he saw him speik to sum of his servandis, quhilkis servandis schortlie thaireftir returnit bak agane, lyke as sum utheris come behind this deponar, layd handis upoun him, raif his blasoun fra his breist, maisterfullie reft and tuke thre letters fra him, with his purs, cloik, and swerd, and put ane widdy about the nek of James Boyd, ane of his witnessis, schoring thairwith to hang him, and eftir divers bawch straikis and mannassingis maid to thame, causit thame opinlie to sweir nevir to repair agane in thay partis with ony letters to execute aganis the said Erll, upoun pane of thair lyffis; and thaireftir deliverit to this deponar his cloik, swerd, purs, with sum of his silver being thairin, and with held still the saidis letters fra him, as at mair lenth is specifiit in the complaint and letters rasit at his instance aganis the said Erll; the haill contentis quhairof he declaris to be of veritie, as he will answer to God and to the Regentis Grace and Counsale upoun his lyff as said is.

[James Boyd depones to the same effect]; and forder, that the said Erllis servandis rypit this deponar, and causit him tak of sum of his claythis to let thame se that he had na letters upoun him eftir the widdy wes put about his nek.

Anent the actioun and caus intentit and persewit befoir my Lord Regentis Grace and Lordis of Secreit Counsale, be Williame Weddirburne sone lauchfull of umquhile David Weddirburne burgess of Dunde and Margaret Rollok his spous; aganis Margaret Dundas,—relict executrice—at the leist universall intromissatrice with the gudis and geir—of umquhile James Weddirburne, sone and air of the said umquhile David his broder, and Williame Fothringhame hir spous for his interes,—twicheing the transferring of ane decreit gevin be umquhile James Erll of Murray Regent, anent the payment to the saidis Williame and Margaret Rollok his spous of the sowme of four hundrith merkis at certane termis specifiit thairin, in the saidis Margaret Dundas as relict executrice and universall intromissatrix foirsaid and hir said spous for his interes passive; and siclyke letters and executioun to follow thairupoun for compelling thame to mak payment to the saidis Williame Weddirburne and Margaret Rollok his spous of the sowme abonewrittin, as mycht or sould have bene had and usit aganis the said umquhile James Weddirburne befoir his deceis be vertew of the said decreit, lyke as at mair lenth is contenit in the principall summondis direct thairupoun. Quhilkis being callit, and the said Margaret Rollok comperand personalie, with Maister Edmond Hay hir prelocutour, and the said Maister Edmond as procuratour for the said Williame Weddirburne; and the said Margaret Dundas and Williame Fothringhame being alsua personalie present, with Maister Johnne Scharp thair prelocutour, be quhome it wes allegeit that albeit the said Margaret Dundas be nominat executrice to hir said

umquhile spous, yit hes schö maid compt of hir intromissioun and exonerit hirself befoir the Juge Ordinar—quhairunto the said Williame Weddirburne wes warnit—and thairfoir sould be assoilyeit fra the said summondis. Quhilk allegeance being fund relivant, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, admittis the same to the saidis defendaris probatioun, and assignis to thame the ferd day of Februare nix to cum, to produce sic writtis and probatioun as thay will use for preving of the samyn, and in the menetyme continewis the said mater, etc., bayth the saidis partiis warnit heirto apud acta.

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Andreas Comes de Rothes. Georgius Comes de Caithnes. Willelmus Magister de Marschell. Joannes Dominus Hereis. Allanus Dominus de Cathcart. Adam Episcopus Orchadensis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Robertus Commendatarius de Deir. Presidens. Quhittinghame. Computorum Rotulator. Advocatus. [Holyrood House, 21st January.]

[Sir Walter Ker of Cesfurde, with Mr. Johnne Scharp his prelocutor, and Walter Scot of Goldelandis, appear to answer for breaking the contract made between them and their followers for keeping the peace, dated at Edinburgh 24th March 1564[1]]; in quhais presens the foirsaid contract of reconciliatioun being red, it wes proponit for the part of the said Walter Scot and his freindis, that that part thairof tuicheing the mariage of George Ker sone and apperand air to Andro Ker of Fawdounsyde, with Jonet Scott fader sister to umquhile Sir Walter Scott of Branxholme knycht, wes not fulfillit and accomplissit; nayther yit wes the sowme of ane thowsand merkis payit to the said Jonet becaus of failye, conforme to the said contract, bot the samyn being requirit wes altogidder refusit; and swa the said contract in that poynt being brokin and not fulfillit for the part of the said Sir Walter, that thairfoir the said Walter Scot and utheris his freindis wer not bund to keip kyndnes and freindschip with thame, bot wer dischargeit thairof be the wordis of the same contract. Quhilk part and claus thairof, with divers utheris the resonnis and allegationis of bayth the saidis partiis, being hard and considerit be the Regentis Grace and Lordis of Secreit Counsale, and thay understanding the occasioun of thair grudge not to be sa greit as the inconvenient that utherwayis may follow, in caise ayther of thame be sufferit to insist in thair particular suitis be way of deid, and willing thairfoir to remove the occasioun be sum mid and indifferent way, to the pleasour of God, continewing of amytie, freindschip, and favour amangis thame for the weill and quietnes of the cuntre in tyme cuming, [my Lords ordain Sir Walter Ker to pay to Walter Scott, for behoof of Jonet Scott, 1000 merks, because of the failure of the said George to marry her].

[1] See p. 643, 16th October 1577.

[Holyrood House, 24th January.]

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Joannes Dominus Hereis. Hugo Dominus Somervile. Allanus Dominus Cathcart. Adam Episcopus Orchadensis. Commendatarius de Culros. Presidens. Computorum Rotulator. Advocatus.

Anent oure Soverane Lordis letters rasit at the instance of Alexander Winsister, minister in Elgin, and the cautionaris underspecifiit, makand mentioun.—That quhair James Dunbar, Sheref of Murray, upoun his pretendit maner, causit charge the said Alexander upoun the xix day of October last bipast at the marcat croce of Elgin onelie, to underly the law befoir him for art and part of the slauchter of umquhile Elizabeth Dunbar, dochter to Maister Alexander Dunbar, dene of Murray (of the quhilk God knawis the said Alexander is maist innocent, nor wes not present at the doing thairof, nor neir hand the samyn) without ony uther warning of him ayther at his dwelling hous or personalie; and immediatlie thaireftir directit his officiaris to the said Alexanderis hous and maid ane inventure of his haill gudis and geir, and wald have intromettit than instantlie thairwith wer not that Johnne Annand Provest of Elgin, Maister James Gairdin, Williame Hardie, Thomas Robertsoun, and David Winsister, burgessis thairof, become cautioun for him, he being than absent, that the gudis and geir quhairof the inventure wes takin sould be furthcumand to our Soverane Lord and the said Sheref, and to entir the said Alexander Winsister quhen and quhair thay sould be requirit to underly the law for the said slauchter, under the pane of ane thowsand merkis, as the copy of the Act at mair lenth proportis. Be vertew of the quhilk Act the said Shereff, knawand the said Alexander to be absent cuming to the burgh of Edinburgh to complene upoun him, causit upoun the xxvi day of October last charge the saidis souirteis to entir the said Alexander befoir him in the toun of Fores, the xxix day thairof,—as it wer upoun twa or thre dayis warning, quhair as he knew perfytlie that the saidis souirteis could not get the said Alexander adverteist within that schort warning. Quhilk Act beris not quhair nor befoir quhat juge thay sould have enterit him, nor yit wes it possibill to thame upoun sic schort and unlauchfull premonitioun to have enterit the said Alexander, being sa far distant in thir partis fra the toun of Fores. And sen the said Alexander Winsister wes not takin with reidhand in ony cryme, the said Sheref nor his deputtis, be the law and practik of this realme, could nevir have chargeit him to have underlyne the law for the saidis allegeit crymes within the space of fyvetene dayis, swa that the said charge gevin to the saidis souirteis upoun twa or thre dayis warning wes not lauchfull. And albeit the said Act contenis not upoun quhat space, nor upoun how mony dayis warning the saidis souirteis sould have enterit the said Alexander, yit it mon be understand upoun lauchfull premonitioun of xv dayis, he nevir having gevin command to the saidis souirteis for his entre, bot thay did the samyn of zele to saif his gudis untakin away; and in sa far as thay wer not lauchfullie chargeit to

entir the said Alexander upoun dew premonitioun of xv dayis, thay upoun the xxix day of October last comperit in the toun of Fores, and thair in presens of the said Sheref and his deputtis wald have takin instrumentis excusing thamselffis throw the said unlauchfull warning, quhilk Sheref and his deputtis wald nowther gif thame actis upoun thair allegeance anent the said unlauchfull charge, nor yit wald suffer ane notar to cum in with thame; bot incontinent, the samyn xxix day, without all gude ordour, decernit the saidis souirteis to have incurrit the panis contenit in the said Act; and incontinent thaireftir, commandit thair officiaris to pas and thresche out the saidis souirteis cornis; quha past to have intromettit thairwith, and being in executioun of thair office the saidis souirteis requirit the saidis officiaris with plausabill wordis to desist and ceis, quha wald not have failyeit to have takin thair gudis to the valu of the said sowme of ane thowsand merkis, wer not ilk ane of thame deliverit to the said Sheref and his deputtis underwrittin, fourty merkis, extending in the haill to twa hundrith merkis. And immediatlie thaireftir the said Sheref and his deputtis,—thay ar to say, Alexander Dunbar of Thornehill, Johnne Rutherfurde burges of Elgin, James Henry, Johnne Moir, burgessis of Fores, Maister Johnne Dunbar of Mestis, James Urquhart burges of Fores,—gaif command to the saidis officiaris, namelie to Johnne Muren, to pas and intromet with the said Alexander Winsisteris haill gudis, allegeand that he throw noncomperance befoir thame to underly the law the said xxix day wes put to the horne,—albeit he wes nevir lauchfullie chargeit, namelie to that day, to underly the law ayther personalie or at his dwelling place, nor utherwayis as efferit,—he having his dwelling place, wyff and familie resident thir mony yeris bigane in Elgin, the said Sheref having na power to sit upoun sic crymes quhair personis criminall ar not takin with reidhand, as the said Alexander wes maist innocent and nevir takin thairwith; nor yit extendis the said Shereffis jurisdictioun forder, bot betuix sone and sone upoun personis apprehendit as said is; and the said Alexander Winsister hes alreddy fund souirtie to underly the law for the saidis allegeit crymes befoir the Justice in the said burgh of Edinburgh, quhairby na sic horning could be execute upoun him; and gif he wes denunceit ayther throw non comperance, or for non finding of souirtie, the same wes null for the caussis foirsaidis, and done be sic as had na power to denunce him. Nochttheles the said Sheref and his deputtis be thame selff, thair servandis, complices, and utheris in thair names, of thair causing and command, maist wranguslie, upoun the last day of the moneth of October first, and sex dayis of November last bipast, thrusche out the said Alexanderis haill cornis, and tuke the samyn away with the fodder than standing in his barne yaird in Elgin,—schorne and stakkit be him and his servandis in his name in his said yaird, than pertening to him as his awin propir cornis, and than being in his possessioun, lyke as the samyn wes in his possessioun as his awin propir gudis, divers monethis than nixt preceding,—extending to fyve scoir bollis beir with the fodder, pryce of the boll with the fodder, four pundis; thretty bollis ry with the fodder, pryce of the boll

with the fodder, four pundis; ten bollis quheit, pryce of ilk boll with the fodder, four pundis; twenty bollis aittis, pryce of ilk boll with the fodder, lvj ß.; sex bollis peis, pryce of the boll with the fodder, thre pundis x ß. Quhilkis cornis and fodder the said Sheref and his deputtis yit withhaldis, and will not rander and deliver the same to the said Alexander and his possessioun, ground and place foirsaid, quhairfra the samyn wes takin, als gude as thay wer the tyme of the awaytaking thairof foirsaid, nor yit will thay rander the saidis twa hundrith merkis to the saidis cautionaris; nor yit will the said Sheref and his deputtis desist and ceis fra all forder calling and persewing the said Alexander and his cautionaris anent the premissis, without thay be compellit. And anent the charge gevin to the said James Dunbar, Sheref of Murray, Alexander Dunbar of Thornehill, Johnne Rutherfurde burges of Elgin, James Henry, Johnne Moir, burgessis of Fores, Maister Johnne Dunbar of Mestis, and James Urquhart burges of Fores, to have comperit personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale at ane certane day bipast, and to have brocht with thame the saidis letters of horning, executioun and charge quhairupoun the samyn procedit, with the said Act of cautioun and the declaratioun thairupoun, to have bene sene and considerit, and to have hard the samyn to have bene fund unlauchfullie and unordourlie procedit and to have na effect, and to have hard and sene ordour takin with thame anent the premissis; and als to have hard and sene thame decernit to desist and ceis fra all forder calling, persewing, or in ony wayis proceding aganis the said Alexander Winsister and the foirsaidis cautionaris anent the premissis, under the pane of rebellioun and putting of thame to the horne; with certificatioun and thay comperit not, and brocht and produceit in maner foirsaid, the said day being bipast, utheris letters sould be direct simpliciter to put thame to the horne. And siclyke anent the charge gevin to the said Sheref and his deputtis abone writtin, to have restorit and deliverit agane to the said Alexander the saidis cornis wranguslie awaytakin be thame as said is; and als to have randerit the saidis twa hundrith merkis to the saidis souirteis equalie for thair partis, within aucht dayis nixt eftir the said charge, under the pane of rebellioun and putting of thame to the horne, or ellis to have comperit personalie befoir the said Regent and Lordis abonewrittin the said day, and schawin ane ressonabill caus quhy thay sould not haif done the samyn; with certificatioun to thame and thay failyeit, utheris letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thereof. The said Alexander Winsister comperand personalie with Maister Johnne Russell his prelocutour, and the said Maister Johnne as procuratour for the cautionaris abonewrittin; and the said James Dunbar Sheref foirsaid and his saidis deputtis being oftymes callit and not comperand. The Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and denunce the saidis James Dunbar, Alexander Dunbar, Johnne Rutherfurde, James Henry, Johnne Moir,

Maister Johnne Dunbar, and James Urquhart oure Soverane Lordis rebellis and put thame to the horne, and to escheit, etc.

[Certain Davidsons having been declared quit and free of the bill filed against them by the Warden of the Middle March[1]] in obtening of the quhilk decreit thay maid greit expenssis in cuming to Edinburgh at twelf sindry dyettis, and at every dyet thay wer put to fyve dayis expenssis in cuming fra thair awin hous in Eist Teviotdaill to Haliruidhous. [My Lords ordain the said Warden, Williame Ker younger of Cesfurde, to pay to them £40, modified for their expenses.]

The quhilk day, in presens of my Lord Regentis Grace, comperit personalie Maister Alexander Cowstoun procuratour for Lord Robert Stewart Fewar of Orknay and Zeitland, and gaif in this band and obligatioun underwrittin, desyring the samyn to be actit and registrat in the bukis of Secreit Counsale, and decernit to have the strenth of ane Act and decreit of the Regentis Grace and Lordis thairof, etc., of the quhilk the tennour followis: Be it kend till all men be thir present letters, We, Lord Robert Stewart Fewar of Orknay and Zeitland: That forsamekill as I, the said Lord Robert Stewart, being committit to ward within the boundis of the Palice of Linlythquow, toun, kirk, and peill thairof, it hes plesit the Regentis Grace to grant me licence and libertie to remane and pas hame to Orknay, or to repair in ony uther partis of this realme quhair I pleis during the space following; thairfoir, I, as principall and Robert Logane of Restalrig, Uthrid M^cDowell of Garthland, and Johnne Pennycuke youngar of that Ilk, as cautionaris and souirteis for me, to be bundin and obleist, and be the tennour heirof bindis and obleissis us, our airis and executouris, conjunctlie; that is to say, ayther of the saidis cautionaris for the equall half of the pane underwrittin; that I, the said Lord Robert, sall re-entir agane in ward within the boundis of the south of Scotland be sowth the watter of Sowthesk in Angus, betuix the dait heirof and the last day of September nix to cum; and eftir my re-entre in the saidis boundis sall remane thairin, and on na wayis eschape or eschew furth of the samyn quhill I be fred and relevit, and als that eftir my returning to my said ward I sall entir and compeir befoir our Soverane Lord, his Regent and Lordis of Secreit Counsale, quhen evir I salbe requirit thairto, upoun sex dayis warning, to answer to sic thingis as may be layd to my charge, twicheing my keping of gude rewle in the partis of Orknay and Zeitland, or for ony uther caus or occasioun quhatsumevir, under the pane of ten thowsand pundis. And als we, Alexander Erll of Sutherland, Allane Lord Cathcart, Williame Dowglas of Lochlevin, Maister Patrik Waus of Barnbarroch, and Laurence Bruce of Cultimalinde, obleissis us, conjunctlie, and our airis, to freith, releif, and keip skaythles the saidis Robert Logane of Restalrig, Uthrid M^cDowell of Garthland, and Johnne Pennycuke, and thair airis, of the said souirtie, and of all pane and dangeare that thay sal happin to [Holyrood House, 30th January.]

[1] See pp. 639, 652, 30th September and 6th December.

sustene thairthrow. And siclyke, I, the said Lord Robert Stewart, obleissis me, my airis and executouris, to freith, releif, and keip skaythles my haill souirteis abone writtin and thair airis of the said souirtie and releif, and of all pane, skayth, and dangeare that thay or ony of thame salhappin to sustene and incur thairthrow. Attour, we ar content and consentis that this oure obligatioun be actit and registrat in the bukis of Secreit Counsale, to have the strenth of ane Act and decreit thairof, and that letters and executoriallis be direct thairupoun, alsweill for principall as releif, in forme as efferis; and for acting and registratioun heirof in the saidis bukis, makis constitutis and ordanis Maister Alexander Cowstoun, etc., conjunctlie and severalie, oure procuratouris, in uberiori forma promittendo de rato. In witnes of the quhilk thing we have subscrivit this present obligatioun with our handis as followis: At Edinburgh, the xxix day of Januare, the yeir of God $j^{m}v^{c}$ thre scoir sevintene yeris, befoir thir witnessis, Maister Alexander Cowstoun indwellar of Leyth, Johnne Cavertoun, James Stewart persoun of Glenquhun, with utheris diverse. Sic subscribitur: Robert Stewart. Robert Logane of Restalrig. Johnne Pennycuke youngar. Bruce of Cultemalindeis. Allan Lord Cathcart. Williame Dowglas of Lochlevin. Mr. P. Waus of Barnbarrache. Uthrid M^{c}Dowell of Garthland. A. Sutherland.[1]

[Edinburgh, 3d February.] The quhilk day, in presens of the Regentis Grace, comperit personalie Williame Dod Inglisman, and gaif in this acquittance underwrittin, desyring the samyn to be actit and registrat in the bukis of Secreit Counsale, and decernit to have the strenth of ane Act and decreit thairof in tyme cuming. Quhilk desire the saidis Lordis finding ressonabill hes ordanit the same to be insert in the saidis bukis; of the quhilk the tennour followis: I, Williame Dod Inglisman, merchant of Westchester, for myself, and as procuratour and attornay for Rauff Reidfurde, alsua Inglisman and merchant of the said citie, be the tennour heirof grantis me to have ressavit fra Archibald Mure broder germane to Dame Elizabeth Mure, relict of umquhile Sir Johnne Dunbar of Mochrum knycht, in name and behalf of the said Dame Elizabeth, the sowne of ane thowsand markis, gude and usuale money of this realme of Scotland, as for the just liquidatioun and pryce of the sowme of twa hundrith pund sterling—as for our part of the sowme of thre hundrith pund sterling, specifiit in ane obligatioun maid be the said umquhile Sir Johnne to me, the said Williame Dod, Rauf Reidfurde and Johnne Biggis, and decernit be decreit of the Lordis of Prevy Counsale of the realme of Scotland foirsaid, gevin at Halyruidhous the xxi day of September last bipast to be payit to us. Of the quhilk sowme of ane thowsand pundis foirsaid, the said umquhile Sir Johnne, befoir his

[1] Striveling, 17th October 1578: This Act and obligatioun deleit at command of the Kingis Majesteis letter, subscrivit with his hand and under his signet, and subscrivit alsua be Archibald Erll of Angus and Robert Lord Boyd, tua of the Lordis of his Hienes Previe Counsale, according to the ordour of the Act of Parliament, as the same letter, daitit the threttene day of October and of his Hienes regnne the twelft yeir 1578 beris—A. Hay.

deceis, consignit in the handis of James Makcairtnay writtar, the sowme of sex hundrith pundis, and the remanent of the said sowme, extending to four hundrith pundis Scottis, wes consignit be Johnne Lord Hereis in the handis of Robert Gourlaw merchant, to have bene payit to us in satisfactioun of the said decreit, of the quhilk sowme of ane thowsand pundis money foirsaid, and als of the sowme of fourty aucht pundis money foirsaid, ordanit be the saidis Lordis of Prevy Counsale to be payit to me in awayting upoun the persute of the said cais fra the secund day of October last bipast, to the day and dait heirof, payit at the making of thir presentis be the said Archibald Mure in name and behalf of his said sister relict foirsaid.—I, for myself, and as procuratour foirsaid, haldis me weill contentit, satisfiit, and payit, and of the samyn sowme of ane thowsand pundis and of the sowme of fourty aucht pundis for expenssis foirsaidis, and of all utheris coistis, chargeis, and expenssis, quhilk I, for myself, and as procuratour foirsaid, mycht ask or clame fra the said umquhile Sir Johnne, his relict, thair airis, executouris or assignayis, in ony wayis for me, my airis, executouris and assignayis. And the said Raulph Reidfurde, his airis, executouris, and assignayis, exoneris and dischargeis the said Sir Johnne, his relict, thair airis, and utheris foirsaidis, and all utheris quhome it efferis for now and evir; and sall warrand thame at all handis quhome it efferis. Providing alwayis that this discharge be na wayis prejudiciall to the said Johnne Biggis, for his part of the said appointment, specifiit in the said decreit, sa far as may appertene to him thairof. And for the mair securitie I am content and consentis that thir presentis be actit and registrat in the bukis of Secreit Counsale of the said realme of Scotland ad perpetuam rei memoriam, the decreit and authoritie of the Lordis thairof to be interponit thairto. And to that effect I, be thir presentis, mak and constitute, etc., my procuratouris, conjunctlie and severalie, in uberiori forma promittendo de rato, be thir presentis. Subscrivit with my hand, at Edinburgh, the thrid day of Februare, the yeir of God j^{m}v^{c} thre scoir sevintene yeris, befoir thir witnessis, Robert Gourlaw burges of Edinburgh, Robert Ker eldar, alsua burges of the said burgh, David Makculloch of Dowchtak, Maister James Makcairtnay, and Johnne Andro writtar, with utheris diverse. Sic subscribitur: Per me Wm. Dod.

[Jonet Scot father sister of the late Sir Walter Scot of Branxholme, grants a discharge in favour of a "rycht honorabill man, Sir Walter Ker of Cesfurde," who paid to her 1000 merks for the failure of his son George to marry her, according to the contract. She subscribes the acquittance at Holyroodhouse, 15th February 1577, before Walter Scot of Goldelandis, James Scot of Robertoun, David Cullace of Auchfersy, Walter Carncors brother of the late Robert Carncors of Colmislie, and Robert Scot of Hanyng.] [Holyrood House, 15th February.]

The quhilk day, in presens of my Lord Regentis Grace comperit personalie Allane Martine and gaif in this obligatioun underwrittin, desyring the samyn to be actit and registrat in the bukis of Secreit Counsale, etc., of [Holyrood House, 16th February.]

the quhilk the tennour followis: Be it kend till all men be thir present letters, We, Hew Erll of Eglintoun, and George Buchannane of that Ilk, to be bundin and obleist, and be the tennour heirof bindis and obleissis us, conjunctlie and severalie, as cautionaris and souirteis for Williame Erll of Menteith; that the said Williame sall compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale, at Haliruidhous, or quhair it sal happin thame to be for the tyme upoun the first day of Apryle nix to cum, and als that he, be himself, his kin, freindis, men, tenentis, servandis, assistaris, partakaris, and all utheris that he may let, sall keip gude rewle in the cuntre in the menetyme, under the pane of fyve thowsand pundis. [The obligation, which is registered for execution, is subscribed] at Irwin and Dunbartane, the fyft and nynt dayis of Februare, the yeir of God j^{m}v^{c}lxxvii yeris, befoir thir witnessis, Williame Barclay of Perstoun, Williame Montgomery broder germane to me the said Erll of Eglintoun, Andro Newin of Monkreddin, Johnne Baillie notar, Walter Blair and Thomas Menzeis. Sic subscribitur: Eglyntoun. George Buchannane of that Ilk.

[Holyrood House, 17th February.] The quhilk day, in presens of my Lord Regentis Grace, comperit personalie Williame Menteith in Saltcoittis, and gaif in his band and obligatioun underwrittin, desyring the samyn to be actit and registrat in the bukis of Secreit Counsale, etc., of the quhilk the tennour followis: Be it kend till all men be thir present letters, me Williame Menteith of West Kerse principall: That forsamekill as—being committit to ward within the Castell of Blaknes be vertew and at command of oure Soverane Lordis letters past be the Regentis Grace and Secreit Counsale for certane occasionis moving thame, tending to his Hienes obedience and quietnes of the cuntre,—it hes now lykewyis plesit his Grace, with avise of the saidis Lordis of Secreit Counsale, to grant me libertie and licence to depart furth of my said ward; thairfoir to be bundin and obleist, and be the tennour heirof bindis and obleissis me, as principall, and Williame Lord Levingstoun, and Alexander Bruce of Airth, as cautionaris and souirteis for me, conjunctlie and severalie; that I, the said Williame, sall re-entir my persoun agane in ward within the Castell of Blaknes, betuix the dait heirof and the first day of Maii nix to cum, and thair remane upoun my awin expenssis, ay and quhill I be lauchfullie and fullie fred and relevit be oure Soverane Lord, his said Regent and Counsale; and als that I be myself, my tenentis, servandis, and all that I may let, sall on na wayis invade, persew, or molest Johnne Levingstoun of Donypace youngar, his tenentis nor servandis, nor sall mak ony provocatioun of troubill to thame in word, deid, or countenance, utherwayis nor be ordour of law and justice quhill the first day of Maii nix to cum, under the pane of fyve thowsand pundis money of this realme. Attour, I, the said Williame Menteith obleissis me and my airis, executouris, and assignayis, to freith, releif, and keip skaythles my saidis cautionaris, thair airis and executouris, of this my present band and obligatioun, and of all pane and dangeare that thay sal happin to sustene and incur

thairthrow. [The band is registered for executioun, Williame Menteith in Saltcoittis being procurator, and subscribed] at the Callendar, the xvi day of Februare, the yeir of God j^{m}v^{c}lxxvii yeris, befoir thir witnessis, Alexander Maister of Levingstoun, Johnne Blacader of Tulliallane, Williame Menteith, and Robert Hammiltoun, with utheris divers. Sic subscribitur: William Lord Levingstoun. Williame Mentethe of the Karse. Alexander Bruce of Artht.

[Holyrood House, 18th February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Andreas Comes de Errole. Hugo Comes de Montgomery. Georgius Comes de Caithnes. Comes de Sutherland. Willelmus Magister de Marschell. Jacobus Magister de Glencarne. Willelmus Dominus Ruthven Thesaurarius. Robertus Dominus Boyd. Hugo Dominus Somervile. Joannes Dominus Maxwell. Joannes Dominus Hereis. Allanus Dominus Cathcart. Robertus Commendatarius Dunfermling. Robertus Commendatarius de Deir. Commendatarius de Inchaffray. Presidens. Prepositus Edinburgi. Clericus Justiciarie. Advocatus.

Forsamekill as it is understand to my Lord Regentis Grace and Lordis of Secreit Counsale,—that Coline Erll of Ergyle hes laitlie set out proclamationis, commanding all and sindry oure Soverane Lordis liegis dwelland within the boundis of Ergyle, and utheris partis thairabout, to accumpany him, weill bodin in feir of weir, to the persute of sic personis as he allegeis ar troublaris of the commoun quietnes of the cuntre,—albeit his intentioun be, as his Grace and Counsale ar credibly informit, na thing ellis bot for the persute and invasioun of Donald M^{c}Angus of Glengarry and utheris his Hienes peciabill and gude subjectis, dwelland upoun his propir landis and heretage, and utheris partis thairabout; the said Erll having na commissioun nor authoritie to that effect; bot onelie upoun a contempt of oure Soverane Lordis authoritie and malice consavit, causles, aganis the said Donald and his freindis; quhairupoun forder inconvenient is abill to follow gif tymous remeid be not providit. And thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis letters to be direct, chargeing the said Erll of Ergyle, and all utheris oure Soverane Lordis liegis dwelland within the boundis of Ergyle and utheris partis and cuntreis thairabout,—be oppin proclamatioun at the marcat croces of Striveling and Dunbartane, becaus it is understand thair is not sure acces to the saidis boundis,—that nane of thame tak upoun hand to mak ony convocatioun or gaddering in armes for persute and invasioun of the said Donald M^{c}Angus of Glengarry, his freindis and boundis, or ony utheris oure Soverane Lordis peciabill and gude subjectis, under quhatsumevir cullour or pretens, under the pane of tressoun; certifeing thame and thay do in the contrair, thay salbe repute, estemit, and persewit as rebellis and tratouris, movaris of insurrectioun and troublaris of the commoun weill of the cuntre, and puneist thairfoir with all rigour and extremitie in exempill to all utheris.

And lykewyis to command and charge all and sindry oure Soverane Lordis liegis dwelland within the boundis of the erledome of Ross, Murray, lordschippis of Badyenauch and Balquhidder, be oppin proclamatioun at the marcat croces of Innernes and utheris places neidfull, that thay and ilkane of thame, weill bodin in feir of weir, ryise, concur, fortifie, and assist the said Donald M^{c}Angus of Glengarry and his freindis in thair defence and resisting of the invasioun of the said Erll of Ergyle and his complices, at sic tymes at, thay sal happin to be persewit, under the pane of tinsell of lyff, landis, and gudis.

[Holyrood House, 19th February.] The Regentis Grace and Lordis of Secreit Counsale, being informit that thair is proclamationis maid to convocat greit nowmeris of men in weirlyke maner be sey and land for persute and invasioun of Donald M^{c}Angus of Glengarry, his freindis and servandis, thair boundis, landis, and possessionis, be force and way of deid, without directioun, commissioun, or authoritie proceding frome oure Soverane Lord to that effect; the said Donald and his saidis freindis being his Majesteis gude subjectis, obedient to his lawis and nawayis convict be ony ordinar jugement or utherwayis declarit rebellis; quhairthrow it becumis his Hienes to provyde for thair defence and saiftie, be commanding of his Majesteis faythfull subjectis nixt adjacent to assist the said Donald in his lauchfull defense. Thairfoir ordanis letters to be direct, chargeing Thomas Fraser of Knokky tutour of Lovet, Coline M^{c}Kenze of Kintaill, Johnne Grant of Frewchy, Lauchlane M^{c}Yntoshe of Dunnauchtane, Robert Monro of Fowlis, Alexander Ross of Balnagowne, Rannald M^{c}Rannald of Keppach, and Alexander Cheisholme of Strathglasche,—that thay and every ane of thame, with thair kin, freindis, servandis, assistaris, partakaris, and haill forces thay may mak, in weirlike maner addres thame and be in full reddines to pas furthwart, assist, succour, and defend, the said Donald M^{c}Angus of Glengarry, his friendis and servandis, thair boundis, gudis, and geir, for sauftie and defence thairof frome the invasioun and violent incursionis of quhatsumevir personis persewing the same, as thay sall ressave advertisement frome the said Donald of the imminent dangeare and invasioun; and to remane sa lang as the apperance and dangeare apperis, under the pane of tinsell of lyff, landis, and gudis.

The Regentis Grace and Lordis of Secreit Counsale, understanding how nochtwithstanding the greit travellis and large chargeis maid be oure Soverane Lord, his Regent and trew subjectis, for repressing of the insolence of the disorderit and inobedient people inhabiting the cuntreis maist ewest the Bordouris, and contenyng of thame in gude and dew obedience, yit ceis thay not at all occasionis to schaik of all debtfull obedience and to troubill the peciabill and gude subjectis, inhabitantis of the incuntreis. Alsua in divers utheris partis of the realme thair is sindry greit enormiteis, maisterfull oppressionis, and contemptuus dissobediencis of his Majesteis authoritie dalie attemptit and remaning unpuneist; for the quhilk caus it is thocht expedient that the Regentis Grace sall repair in the rowmes quhair the said dissobediencis and contemptuus ar maist frequentit, to

repres and quiet the same be ordour of law and justice; or quhair contempt and manifest resisting of our Soverane Lordis authoritie sall appeir, be his Hienes power and the forces of his Majesteis gude and obedient subjectis. Thairfoir ordanis letters to be direct to officiaris of the Kingis, Shereffis in that part, chargeing thame to pas to the marcat croces of Striveling, Dunbartane, Lanerk, Renfrew, Air, and utheris places neidfull, and thair, be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindry his Hienes liegis within the boundis of the Sherefdomes of Striveling, Dunbartane, Lanerk, Renfrew, Air, and Bailliereis of Kyle, Carrik, and Cunynghame,—alsweill dwelland to burgh as to land, within regalitie as ryaltie, betuix sextie and sextene yeris,—and utheris fensabill personis, that thay and ilkane of thame, weill bodin in feir of weir, with xx dayis victuallis and provisioun, addres thame selffis and be in full reddines, as thay salbe commandit and adverteist of new upoun sex dayis warning, to meit the said Regent or his Hienes Lieutenent quhatsumevir to be appointit for that effect, at sic day and place as salbe specifiit in the charge to be gevin thairanent be the said nixt warning; thairfra to pas furthwart as thay salbe commandit, be sey or land, for resisting or invasioun of the rebellis and dissobedientis quhatsumevir—resistaris and dissobeyaris of oure Soverane Lordis authoritie,—as commandiment and directioun salbe gevin, under the pane of tinsell of lyff, landis, and gudis. And als to command and charge, all and sindry awnaris maisteris and skipparis of schippis, barkis, birlingis, boittis, and utheris veschellis meit for ferrying and transporting of men or horssis within the saidis boundis, that thay have the same preparit and in full reddines, to ressave, cary, and transport men, munitioun, horssis, victuallis, or uther weirlyke provisioun, to sic place or places as salbe specialie designit and appointit be the nixt proclamatioun, on xxiiii houris warning. And in lyke maner to command and charge all and sindry the inhabitantis of the burrowis and townis of Striveling, Glasgow, Lanark, Hammiltoun, Rutherglen, Renfrew, Paslay, Dunbartane, Air, Irwin, and utheris townis and places on the coist syde quhair oistlary is used, that thay prepair and haif in reddines bakin breid, browin aill, wyne, and all uther maner of horsmeit and mannis meit, and addres thame to transport and cary the same be land or sey to the camp quhair it sall happin to be, thair to be sauld upoun sufficient and gude pryces, to the furnissing and sustentatioun of his Hienes liegis being thairin in his Hienes service, under the pane abonewrittin.

Sederunt—Jacobus Dominus Regens. Archibaldus Comes Angusie. Georgius Comes de Caithnes. Hugo Comes de Eglintoun. Willelmus Magister de Marschell. Willelmus Dominus Ruthven. Robertus Dominus Boyd. Joannes Dominus Maxwell. Joannes Dominus Hereis. Robertus Commendatarius de Deir. Presidens. Clericus Justiciarie. Advocatus. [Holyrood House, 20th February.]

The Regentis Grace and Lordis of Secreit Counsale, being informit that thair is proclamationis maid to convocat greit nowmeris of men in weir-

lyke maner be sey or land for persute and invasioun of Donald M^c^Angus of Glengarry,—his freindis and servandis, thair boundis, landis, and possessionis, be force and way of deid, without directioun commissioun or authoritie proceding frome our Soverane Lord to that effect; the said Donald and his saidis freindis being his Majesteis gude subjectis obedient to his lawis and na wayis convict be ony ordinar jugement or uther wayis declarit rebellis. Quhairthrow it becumis his Hienes to provide for thair defence and sauftie, and to restrene all sic as wald pretend ony thing in the contrair. Thairfoir, ordanis letters to be direct, chargeing Lauchlane M^c^Clayne of Dowart and M^c^Ynun of Strathurdill, and all utheris oure Soverane Lordis liegis, be oppin proclamatioun at the marcat croce of Innernes and utheris places neidfull, that nane of thame tak upoun hand to convocat thameselffis in armes, or to invade or persew the said Donald M^c^Angus of Glengarry, his freindis and boundis, under quhatsumevir cullour or pretens, under the pane of tressoun.

[Holyrood House, 21st February.]

Sederunt—Jacobus Dominus Regens. Joannes Dominus Glammis Cancellarius. Archibaldus Comes Angusie. Andreas Comes Errolie. Hugo Comes de Eglintoun. Georgius Comes de Caithnes. Comes de Sutherland. Willelmus Magister de Marschell. Willelmus Dominus Ruthven. Joannes Dominus Hereis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Robertus Commendatarius de Deir. Commendatarius de Culrose. Commendatarius de Balmerynoch. Presidens. Quhittinghame.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Capitane Williame Yorstoun, makand mentioun.—That quhair in the moneth of Marche, the yeir of God j^m^v^c^lxxv yeiris, he tuke purpois to pas to the partis of Holland for serving of the Prince of Aurange in his weris under the regiment of Coronell Hary Balfour; and for his outred and furnitour of his vayage he sauld his hous in Forestaris Wynd, within the burgh of Edinburgh, and tuke thairupoun the sowme of sex hundrith merkis. Quhilk sowme he employit for the outred of him and his cumpany, and forder borrowit fra Johnne Uddart merchant in Edinburgh, the sowme of thre hundrith pundis upoun entres, quhilk entres with the principall extendis to the sowme of fyve hundrith and fourty pundis. For payment quhairof the said Johnne ressavit the said Cornell and Capitane Williamis obligatioun, conjunctlie and severalie, be ressoun he employit ane greit part of the said borrowit money in the said Coronellis effairis, quha at the tyme of the said Capitane Williamis furth being of this realme ressavit fra George Kincaid payment of his haill outred, and retenit the samyn to himself, and sufferit bayth the principall sowme and entres to ly upoun the said Capitanis heid. Quhairupoun the said Johnne Uddart hes obtenit letters be deliverance of the Lordis of Counsale to put the said Capitane Williame to the horne, and

during the tyme of his service the said Coronell ressavit fra the Estaittis of Holand and Braband payment and allowance of his haill wageis, far surmountand the said borrowit money, and wald nayther mak the said Capitane Williame payment thairof nor releif him of the said obligatioun. Quhairupoun he menit him to my Lord Regentis Grace and Lordis of Secreit Counsale be ane supplicatioun, desyrand justice in the premissis, quha remittit the caus to be persewit befoir the juge ordinar, as ane Act upoun the bak of his supplicatioun beris; conforme to the quhilk he intentit actioun aganis the said Coronell befoir the Provest and Baillies of Edinburgh, Jugeis Ordinaris, fundin to him; befoir quhome the said Coronell befoir his departing furth of this realme comperit personalie at diverse actis judiciall, and eftir lang dependence the said actioun wes admittit to the said Capitane Williames probatioun. Nevirtheles Cristiane Cant, spous to the said Coronell, or sum utheris in his name, mynding to frustrat the said Capitane Williame of justice in his said caus, hes be sinister informatioun purchest my Lord Regentis Grace writting.[1]

. . . at Striveling, the aucht day of Marche, the . . . of God $j^{m}v^{c}$ thre scoir sevintene yeris.

Sederunt—Rex, etc.

Publicatioun of the Kingis acceptation of the governament.

At Striveling Castelle, the xii day of Marche, anno $j^{m}v^{c}lxxvii$.

Sederunt—Rex, etc.

Discharge to the Earll of Mortoun of his regiment.

At the Castell of Striveling, xiij Marche, anno $j^{m}v^{c}lxxvii$.

Certane heidis proponit be the Erll of Mortoun registrat.

Ogilvy dischargit of his ward.

Maxwell dischargit of his ward in which he had been kept by Morton.

At the Castell of Striveling, the xxiiii day of Marche, anno $j^{m}v^{c}lxxvii$.

Charge to keip certane plegeis.

[1] This minute, apparently incomplete, is the last entry in one of the volumes of the Register. If there is a deficiency, it is not to be attributed to the adjustment for binding, as the entry stops at the word "writing," without completing a page.

At Striveling Castell, xxiiij day of Marche 1577.

Sederunt—Rex, etc.

A Counsall chosen.

Counsall gaif thair ayths.[1]

[Stirling Castle, 25th March.]

Sederunt—Colinus Comes Ergadie. Joannes Comes Atholie. Joannes Comes de Montrois. Georgius Comes de Caithnes. Joannes Dominus Maxwell. Joannes Dominus Hereis. Laurencius Dominus Oliphant. Joannes Dominus Innermeyth. Jacobus Dominus Ogilvy. Magister de Gray. Commendatarius de Dunfermling. Commendatarius de Newbottill. Commendatarius de Deir. Computorum Rotulator.

Lord Maxwell maid Warden of the West Marche.

Forsamekill as Archibald Erll of Angus Lord Dowglas and Abirnethy hes dimittit and gevin ower the office of Wardanrie of the West Marches of this realme foranent England; and thairfoir necessar it is that sum uther abill and qualifiit persoun be placeit thairin, alsweill for contenyng of the Kingis Majesteis liegis under his dew obedience, as for answering and causing redres to be maid to the opposite Warden for sic attemptattis as salhappin to be commit aganis the treateis of peace; and our Soverane Lord having experience of the gude will and diligence schawin at all tymes be Johnne Lord Maxwell in his Majesteis service, and understanding nane to be mair abill for using of the said office nor he is, in respect of his knawlege and understanding of the effaris of the cuntre; his Majeste thairfoir, with avise of the Lordis of Secreit Counsale, hes maid and constitute the said Johnne Lord Maxwell Warden and Justice of and within all the boundis of the said West Marche,—viz., Galloway beneth and abone Cre, Niddisdaill, Annanderdaill, Eskdaill, Ewisdaill and Wauchopdaill,—and hes gevin to him the offices thairof in tyme cuming, with all privilegis, commoditeis, and dewiteis appertening thairto, as in his Hienes commissioun maid thairupoun at mair lenth is contenit. For the bettir executioun quhairof, and contenyng of all thingis in gude ordour, neidfull it is that the said Lord Maxwell be weill fortifiit and assistit with the baronis, gentilmen and utheris, inhabitantis of the said West Marche, alsweill at dayis of Trew, as in uther thingis tending to the avancement and furthsetting of the Kingis authoritie and service. And thairfoir his Hienes, with avise of the saidis Lordis, ordanis letters to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas to the marcat croce of Drumfreis and utheris places neidfull, and thair, be oppin proclamatioun in his Majesteis name and authoritie, mak publicatioun of the premissis to all and sindry his Hienes liegis, that nane of thame pretend ignorance of the same; and to command and charge all and sindry Erllis, Lordis, Baronis, Gentilmen

[1] The Acts following on these announcements have been already printed from the Register of the Privy Council, in the Record edition of the Acts of Parliament as an appendix to the Statutes of 1578. Act. Parl. Scot. vol. iii. p. 115, *et seq.*

and utheris dwelland within the saidis boundis, to ryise, concur, fortifie, and assist the said Johnne Lord Maxwell in accumpaneing of him at dayis of Trew and utherwayis, as thay salbe requirit be him for the bettir executioun of his said office, as thay have bene accustumat heirtofoir, nochtwithstanding ony exemptioun grantit to thame, or ony of thame, of befoir in the contrair; and that nane of thame tak upoun hand to do or attempt ony thing to his hinderance, as thay and ilkane of thame will answer to our Soverane Lord upoun thair obedience at thair uttirmest charge and perrell, and under all hieast pane, cryme, and offence that thay may commit and inrin aganis his Majestie in that behalf.

Charge to rander Lochmaben and Langholme.

The Kingis Majestie, with avise of the Lordis of Secreit Counsale, for divers caussis and considerationis moving thame, tending to the furthsetting of his Hienes authoritie and service, ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, command, and charge Archibald Erll of Angus Lord Dowglas and Abirnethy, and Ekke Dowglas his servand, and all utheris havaris, keparis, detenaris and withhaldaris of the houssis, towris, and fortalices of Lochmaben and Langholme, to rander and deliver the samyn to the officiar executor of the saidis letters, and to remove, devoid, and red thame selffis, thair servandis and gudis, furth of the samyn within xxiiii houris nixt eftir thay be chargeit thairto, under the pane of rebellioun and putting of thame to the horne . . . xxiiii houris being bipast, to denunce thame rebellis . . . to escheit and inbring all thair movabill gudis . . . tioun.

[Stirling Castle, 29th March.] Erll of Atholl maid Chancellar, gaif his ayth.

The quhilk day, Johnne Erll of Atholl being nominat and electit Chancellar of this realme, gaif his ayth in presens of the Kingis Majestie and Lordis of Secreit Counsale for dew and lauchfull using of the samyn as appertenis, as he wald answer to God and his Hienes upoun his charge and perrell.

At the Castell of Striveling, the last day of Marche, anno, etc. lxxviii°.

(The rubric and beginning of the Act imperfect. The first words preserved are) voluntary dimissioun of James Erll of Mortoun.[1]

[Edinburgh, 10th April.] Clerk of Register gaif his ayth.

The quhilk day, in presens of the Lordis of Se . . . of Rankelour Nethir, Clerk of Register, being sworne . . . Majesteis ordinar Secreit Counsale maid fayth and gaif his ayth . . . leill and trew Counsale in all thingis sal happin to be proponit . . . the honour and suirtie of his Majesteis persoun, the commoun effairs . . . thairof, and keip the samyn secreit and unrevelit be ony maner of . . . he sould remane in Edinburgh and be reddy to gif his counsale quh . . . appointit the tent day of Julii nix to cum.

[1] Printed at length, so far as legible, Act. Parl. Scot. vol. iii. p. 120.

[Edinburgh, 11th April.]

Sederunt—Joannes Comes de Atholl Cancellarius. Hugo Comes de Eglintoun. Andreas Comes de Rothes. Georgius Comes de Caithnes. Comes de Sutherland. Patricius Dominus Linedsay. Jacobus Dominus Ogilvy. Dominus Levingstoun. Joannes Dominus Hereis. Magister de Gray. Episcopus Orchadensis. Commendatarius . . . Commendatarius . . . Computorum Rotulator. Clericus Registri.

Act anent the victuallis.

The Kingis Majestie and Lordis of his Prevy Counsale, considering . . . derth and scarsitie of victuallis within this realme this present yeir at Goddis . . . and willing to provyde all possibill remedyis thairfoir, to the help and releif of the people. Thairfoir, according to the lovabill Actis and constitutionis of his Hienes maist nobill progenitouris in tyme of lyke necessitie, specialie be King James the Secund of worthy memory, ordanis letters to be direct to the Sheriffis, Stewartis, Baillies of Regalities and thair Baillies, Provestis, Aldermen and Baillies of burrowis, and to . . . of the Kingis Shereffis in that part—chargeing thame to pas to the marcat croces of Edinburgh and utheris marcat croces of the heid burrowis of this realme and utheris places neidfull, and thair, be oppin proclamatioun in oure Soverane Lordis name and authoritie, command and charge all and sindry his Hienes liegis that hes cornis unthreschit within the realme, to gar it be halelie threschin out befoir the tent day of Junii nix to cum, under the pane of escheit to the King of the corne that happynnis to be unthreschit out, alsweill within barnis as outwith; and the said tent day of Junii being bipast, that thay incontinent thaireftir pas, escheit and inbring all the said unthreschin corne to oure Soverane Lordis use, as thay will answer to his Hienes upoun the executioun of thair offices, and under the pane of tinsell and dischargeing thairof during his Majesteis will. Alsua to command and charge all and sindry his Majesteis lieges, that nane of thame hald mair victuall in girnall than will serve himself and his familie for a quarter of ane yeir, bot that thay present all that thay have mair to the marcat within xx dayis eftir this proclamatioun, to be sauld, under the pane of escheit thairof. And that certane personis be depute sercheouris in Edinburgh, Leyth, and all uther partis of this realme for this effect, as oure Soverane Lord, with avise of his Counsall, sall direct. And that strangearis that bringis in victuallis be favourablie treatit and thankfullie payit for thair victuallis,—and not onelie all new custumes left of, bot alsua the custumes dew to his Majestie of victuallis cuming within the realme,—quhilkis his Hienes, with avise of his said Counsale, remittis and dischargeis quhill the first day of October nix to cum; lyke as the said Baillies, Counsale, and Communitie of the burgh of Edinburgh, upoun the occasioun of the present derth and scarsitie, and for the commoun weill and releif of the puyr, hes willinglie dischargeit the custumes belanging to thame of victuallis cuming within the realme quhill the said day. And als to command and charge that nane of his Hienes liegis refuse ony maner

of lauchfull current money in payment of thair gudis sauld, nor yit mak ony bargayne, blok, or conditioun, upoun the selling of thair victuallis or utheris gudis, secluding the ressaving of ony of the Kingis lauchfull money in payment, as thay will answer to his Hienes upoun thair obedience, under the panis contenit in the lawis and Actis of Parliament. And further, oure Soverane Lord, with avise of his Counsale, hes dischargeit and dischargeis all licencis grantit of befoir for transporting of victualis and all uther . . . gudis, and that nane presume to transport or cary away ony maner of . . . gudis upoun pretens of ony maner of licencis grantit heirtofoir; with certificatioun to thame and thay failye, thay salbe callit and accusit thairfoir and puneist with all rigour in exempill of utheris according to the lawis. And in lyke maner, that nan tak upoun hand to eit or prepair flesche on Weddnusday, Fryday, and Settirday, quhill the said Feist of Michaelmes, under the panis contenit in the Actis of Parliament maid thairanent. And that the Provest and Baillies of Edinburgh, and all utheris ordinar jugeis, mak diligent serche and inquisitioun upoun the contravenaris of this present proclamatioun, as thay will answer to oure Soverane Lord upoun the dewitie of thair offices.

Sederunt—Joannes Comes de Atholl Cancellarius. Joannes Comes de Montrois. Hugo Comes de Eglintoun. Andreas Comes de Rothes. Georgius Comes de Caithnes. Patricius Dominus Lindesay. Jacobus Dominus Ogilvy. Joannes Dominus Hereis. Joannes Dominus Innermeyth. Patricius Magister de Gray. Robertus Episcopus de Caithnes. Commendatarius de Newbottill. Commendatarius de Deir. Computorum Rotulator. [Edinburgh, 12th April.]

Anent Schuting and bering of Culveringis and Daggis.

Forsamekill as in the first yeir of oure Soverane Lordis regnne, thair wes ane Act maid anent schuting and bering of culveringis and daggis, contenyng pane of cutting of the rycht hand of the contravenaris; quhilk Act sen the making thairof hes tane na executioun, throw the troubles and civile weare quhairwith the haill realme hes bene for the maist part sensyne inquietit; bot now, althocht God hes restorit peace and quietnes frome all forayne wearis or civile troublis, yit the bearing, wearing, and schuting with culveringis, daggis, and fyre werk is not left of and forborne, bot rather the unlauchfull use of thame is still hantit and frequentit be all maner of men; throw quhilkis hes happynnit divers murthouris and slauchteris of vailyeant and gude men upoun slendir and licht occasionis, quhilkis utherwayis wer abill anewch to defend thame selffis at sic times of tuilye and invasioun. And oure Soverane Lord and Lordis of his Secreit Counsale, willing to further the executioun of the said Act of Parliament, and considering that the pane contenit in the samyn is hard to be alyke extendit and execute aganis all maner of personis, alsweill for the wearing and bering of daggis and culveringis as for the schuting at men thairwith and slaying or hurting of thame. Thairfoir ordanis that na maner of persoun or personis, of quhatsumevir estate, degre, or conditioun thay be of, beir, weir, or use culveringis, daggis, pistolettis, or ony sic ingyne of fyre werk

in ony part of this realme, nowther to burgh nor to land, bot in maner and under the panis respective eftir following, that is to say: It sall not be lefull to beir, weir, or use in schuting or utherwayis the saidis culveringis, daggis, pistolettis, or ony sic uther ingyne of fyre werk upoun thair personis, or in cumpany with thame oppinlie, with thame outwith houssis in tyme cuming, under the pane of impresonment of thair personis for yeir and day, and forder induring the Kingis Majesteis will,—togidder with the pane of escheting of the culveringis, daggis, or sic uther ingynes of fyre werk to the use and behuif of the juge executor of the jugement heireftir ordanit. And for executioun heirof, that the offendouris sall not eschape unpuneist, gevis and grantis full power and commissioun, be vertew of this present Act, to all Shereffis, Stewartis, Baillies and thair deputtis, Lordis of Regaliteis and thair Baillies, Provestis, Aldermen, and Baillies of Burrowis, makand thame our Soverane Lordis justices in that part, to tak and apprehend the contravenaris heirof, beand found reidhand berand or werand the saidis culveringis, daggis, pistolettis, or utheris ingynis of fyre werk, and keip thame in ward quhill justice be execute upoun thame, providing the same be done within sic space as be the law and custum is appointit for personis takin reidhand in thift; and the personis dilatit for the cryme foirsaid to charge be precept, to find souirtie within sex dayis, under the pane of rebellioun and putting of thame to the horne, that thay sall compeir at a particular dyet on xv dayis warning, and underly the law thairfoir; and at the day appointit the personis apprehendit or comperand be dittay to accuse and put to the knawlege of ane assise, and gif . . . culpabill of the cryme foirsaid, to pronunce the said dome of imprisonm . . . and day upoun thame, and according thairto to keip and hald thame . . . irnis during the said space. And gif it sal happin the personis chargeit . . . finding of souirtie to underly the law, or as fugitive fra the . . . rebellis, and put to the horne, that the saidis Shereffis, Stewartis, Baillies . . . deputtis, Lordis of Regalities and thair Baillies, Provestis, Aldermen, and Bai . . . Burrowis, serche, seik, intromet and uptak the saidis rebellis escheit gudis and . . . to oure Soverane Lordis use, and mak compt and payment thairof yeirlie . . . chekker; and in lyke maner serche and seik the personis of the saidis rebellis . . . thay may be apprehendit within the boundis of thair jurisdictionis quh . . . and the effect and pane of this Act execute upoun thame. And gif it sal hap . . . ony of the personis convictit not to be abill to sustene thair awin chargeis . . . the tyme of thair impresonment, in that caise the saidis Shereffis, Stewartis, Baillies, Lordis of Regalities and thair Baillies, Provestis, Aldermen, and Baillies of Burrowis, sall furneis and caus answer ilk convictit persoun not having of his awin gudis to sustene him self, breid and watter, allowand dalie ane pund of ait breid to ilk man, the pryce quhairof salbe allowit to thame in thair comptis at the Chekker; providing that nochtwithstanding this present Act, or ony thing thairin contenit, it salbe lefull to oure Soverane Lordis domestique servandis actualie attending on . . . awin persoun, to beir, weir, and use the saidis culveringis, daggis, and pistolettis, as alsua to all his Hienes liegis in tyme

of oistis, raidis, and wapingschawingis, being chargeit thairto be oure Soverane Lordis authoritie. And siclyke, that it be lauchfull to the saidis Shereffis, Stewartis, Baillies and thair deputtis, Lordis of Regalities, Provestis, Aldermen, and Baillies of Burrowis, thair deputtis and officiaris to weir beir and use, the saidis culveringis daggis, and pistolettis, in sercheing seking and apprehensioun of the personis of quhatsumevir rebellis being chargeit thairto be oure Soverane Lordis letters and authoritie; and in like maner that it be lauchfull to oure Soverane Lordes liegis, to beir weir and schute with daggis culveringis and uther fyre werk, in the resisting and following of thevis and revaris steland or awaytakand trew mennis gudis. And in lyke maner, that it be lauchfull to all nobill men gentilmen and utheris oure Soverane Lordis liegis, to schute for thair pastyme within thair inver, clois, and yairdis adjacent thairto, in landwart, and outwith burrowis and citeis, and lykewyis to marinaris and utheris hanting the seyis, being actualie upoun the samyn, for defence of thair bodiis and gudis. And in cais ony personis wearing and bering the saidis culveringis daggis pistolettis and utheris ingynis of fyre werk, willinglie schutis thairwith at ony man or woman, quhidder the persoun sa schote at be hurt be the said schot or not; in that cais the schutar being apprehendit or callit and lauchfullie convict befoir the Justice Generall and his deputtis, sall suffer the pane and punisement of befoir ordanit in the said Act of Parliament, that is to say, the cutting of his rycht hand. And gif the persoun schot at happynnis to be slayne or mutilat, in that cais to suffer the pane of deid thairfoir, as the lawis alreddy maid hes appointit and ordanit, and this Act and ordinance, quhill the nixt Parliament or Conventioun Generall, and forder ay and quhill express dirogatioun be maid thairto, to induir.

Sederunt—Joannes Comes de Atholl Cancellarius. Joannes Comes de Montrois. Georgius Comes de Caithnes. Andreas Comes de Rothes. Hugo Comes de Eglintoun. Willelmus Comes de Menteith. Patricius Dominus Lindesay. Jacobus Dominus Ogilvy. Joannes Dominus Hereis. Joannes Dominus Innermeyth. Patricius Magister de Gray. Episcopus de Caithnes. Dunfermling. Newbottill. Deir. Computorum Rotulator. [Edinburgh, 14th April.]

The Lordis of Secreit Counsale, considering how the Kingis Majestie, be avise of his Nobilitie and Estaittis, having acceptit the governament of his realme in his awin persoun, hes mony greit and sumptuous chargeis to beir out and sustene for the intertenyement of his houshald officiaris and servandis, the beting and reparatioun of his palaces, castellis, and houssis, the retenyng of quietnes on his Bordouris and ower all his realme, and for the expenssis and intertenyment that is to be maid on his Hienes ambassadouris and servandis that salhappin to be direct in foreyn cuntreis, or to repair frome uther Princes to his Majestie, and mony utherwayis. And how his Majesteis propirtie, casualteis, and utheris rentis, quhairupoun the same chargeis aucht and sould be sustenit, ar sa greitlie hurt and dimi- . . thing be . . gratis.

nishit, and all pryces rissin to sa exhorbitant derth, that his Hienes rentis can not be abill to beir his chargeis gif his Majestie salbe suddanlie preissit with the dispositioun of ony part thairof gratis. Thairfoir, and for certane utheris wechtie and ressonabill considerationis moving the saidis Lordis of Secreit Counsale, thay have thocht meit and convenient that na giftis and dispositionis of the propirtie, casualteis, and utheris rentis pertening to our Soverane Lord salbe disponit gratis, nor yit gevin furth in pensioun or feall, upoun ony cullour or pretens, sauffing the ordinar feis and wageis of the officiaris of the Estate and of his Hienes hous, as the same is or salbe appointit be his Majestie, with avise of his said Counsale, during the space of thre monethis eftir the dait heirof; promissing not to sute nor procuir the derogatioun or violatioun of this present Act be ony meanis, direct or indirect, to the hinderance of his Majesteis proffeit, as thay will answer upoun thair allegeance to his Majestie upoun thair honouris and dewiteis.

Edinburgh, 17th April.]

Sederunt—Joannes Atholie Comes Cancellarius. Joannes Comes de Montrois. Georgius Comes de Caithnes. Patricius Dominus Lindesay. Jacobus Dominus Ogilvy. Joannes Dominus Hereis. Joannes Dominus Innermeyth. Robertus Episcopus de Caithnes. Commendatarius de Newbottill. Commendatarius de Deir. Magister de Gray. Computorum Rotulator.

All bandis dischargit be the Provest and Baillies of Jedburgh.

The quhilk day, Richert Rutherfurd, Provest, Williame Rutherfurde and Williame Aylie, Baillies, of Jedburgh, wer inquirit gif thay, for thame selffis or ony utheris in thair names, and in name of the inhabitantis of the toun of Jedburgh, had gevin ony particular band at ony tyme bigane for thair assistance, and partaking with ony subject of this realme aganis ane uther,—answerit and declarit that thay had maid na bandis to ony persoun except the said Richert Rutherfurde, quha had gevin band to the Erll of Angus, not as Provest, bot as a prevat man, cum of the hous of Hunthill; and presentlie the saidis Provest and Baillies hes dischargeit and dischargeis all bandis maid be thame to ony persoun or personis; and forder, promittis and obleissis thame to gif nor subscrive na sic bandis in tyme cuming, bot to serve and obey the Kingis Majestie, his Wardanis and officiaris, according to thair bundin dewitie, as thay will answer upoun thair obedience and allegeance to his Hienes, and under the panis contenit in the lawis and Actis of Parliament maid thairanent.

Bandis dischargit be the Rutherfurdis.

The quhilk day, comperit personalie Andro Rutherfurde of Hundoley, Thomas Turnbull of Badroule, Richert Rutherfurde of Edyerstoun, Johnne Rutherfurde of Hunthill, Johnne Turnbull of Mynto, George Dowglas youngar of Bonejedburgh, and Johnne Rutherfurde of the Know, and dischargeit and dischargeis all bandis made be thame, for thair assistance and partaking with quhatsumevir persoun or personis (oure Soverane Lord except) in ony tyme bigane preceding the dait heirof; and forder, hes sworne, promittit, and obleist thame to gif nor subscrive na sic bandis in tyme cuming, bot to observe and obey the Kingis Majestie, his Wardanis

and officiaris, according to thair bundin dewitie, as thay will answer upoun thair obedience . . . allegeance to his Hienes, and under the panis contenit in the lawis and Actis of . . . maid thairanent.

Assurance betuix Cesfurde and the toun of Jedburgh.

The quhilk day, in presens of the Lordis of Secreit Counsale, comperit perso . . . Richert Rutherfurde Provest, Williame Rutherfurde and Williame Aylie Baillies . . . burgh of Jedburgh, for tham selffis, and takand the burding upoun thame for the . . . communitie and haill inhabitantis of the said burgh, hes assurit, and be thir presentis assuris, S . . . Walter Ker of Cesfurde knycht, Williame Ker his sone and apperand air, thair k . . . freindis, men, tenentis, and servandis (except Williame Ker sone to Robert Ker of Ancrum, George Ker of Bludelawis, Lancy Ker in Oxnem, and Johnne Ker in Carchesteris, denunceit rebellis and at the horne for the slauchter of umquhile Maister Johnne Rutherfurde and utheris inhabitantis of the said burgh, quhilkis sall not be comprehendit under this assurance) to be unhurt, unharmit, unmolestit, troublit, invadit, or in ony wayis persewit be us be way of deid in tyme cuming, for quhatsumevir caus or occasioun bigane preceding the dait heirof, unto the first day of October nix to cum, promissing and swearing to observe and caus be observit and kepit this present assurance in all pointis, as thay will answer upoun thair obedience and allegeance to our Soverane Lord, and under the pane of perjury, infamy, and tinsell of perpetuall credeit, honour, and estimatioun in tyme cuming, besydis the ordinar panis of the law to be execute upoun thame without favour. [Counter assurance by the Kers not to molest the Corporation and community of Jedburgh.]

Assurance betuix Cesfurde and Rutherfurdes.

The quhilk day, Sir Walter Ker of Cesfurde knycht, and Williame Ker his sone and apperand air on the ane part; and Andro Rutherfurde of Hundeley, Thomas Turnbull of Bedroule, Richert Rutherfurde of Edyerstoun, Johnne Rutherfurde of Hunthill, Johnne Turnbull of Mynto, George Dowglas youngar of Bonejedburgh, and Johnne Rutherfurde of the Know on the uther part; for thame selffis, and ayther of the saidis partiis takand the burding upoun thame for thair kin, freindis, men, tenentis, servandis, assistaris, and partakaris (except Williame Ker sone to Robert Ker of Ancrum, George Ker of Bludelawis, Lancy Ker in Oxnem, and Johnne Ker in Carchesteris, quhilkis sall not be comprehendit under this assurance) hes assurit, and be the tennour heirof, specialie and expreslie assuris ayther of thame utheris (except befoir exceptit) to be unhurt, unharmit, un-molestit, troublit, or in ony wayis persewit be way of deid in tyme cuming, for quhatsumevir caus or occasioun bigane, preceding the dait heirof, unto the first day of October nix to cum; promissing and swearing to observe and caus be observit and kepit this present assurance, ayther of thame to utheris, in all pointis, under the pane of perjury, infamy, and tinsell of perpetuall credeit, honour, and estimatioun in tyme cuming, besydis the ordinar panis of the law to be execute upoun thame without favour.

[Edinburgh, 21st April.] . . . for Sheref of Murray and his deputtis.

The quhilk day, Williame Creichtoun tutour of Sanquhair, and Williame Creichtoun of Liberie become actit and obleist, conjunctlie and severalie, as cautionaris and souirteis for James Dunbar Sheref of Murray, Johnne Rutherfurde, Maister Johnne Dunbar of Mestis, James Henry, and Johnne Moir, burgessis of Elgin and Fores, deputtis to the said Sheref, that all and sindry thair gudis, geir, sowmes of money, cornis, cattell and dettis pertening to oure Soverane Lord be vertew of escheit, throw the proces of horne led aganis thame, for non restoring to Alexander Winsister minister of Elgin, and certane personis his cautionaris, of certane gudis mentionat in the letters direct thairupoun, salbe answerabill and furthcumand to our Soverane Lord, or utheris havand interes thairto, in cais the same letters salbe fund to be ordourlie direct and execute aganis the said Sheref and his deputtis; and that thay sall obey the command thairof, as the saidis Lordis sall direct and ordane. Sic subscribitur: Tutour of Sanquhair. Williame Creichtoun of Lybre.

Caution for Jolie.

The quhilk day, Robert Maxwell of the Spottis become actit and obleist as cautionar and souirtie for Robert Jolie, presentlie being furth of this realme, that he sall compeir personalie befoir the Lordis of Secreit Counsale upoun the tent day eftir his arryvall in this realme, and underly sic ordour as salbe imput to him for keping of gude rewle in tyme cuming, under the pane of fyve hundrith merkis. Sic subscribitur: Robert Maxwell.

[Edinburgh, 23d April.]

Sederunt—Joannes Atholie Comes Cancellarius. Joannes Comes de Montrois. Georgius Comes de Caithnes. Willelmus Dominus Ruthven. Patricius Dominus Lindesay. Jacobus Dominus Ogilvy. Joannes Dominus Hereis. Joannes Dominus Innermeyth. Patricius Magister de Gray. Robertus Episcopus de Caithnes. Adam Episcopus Orchadensis. Commendatarius de Dunfermling. Commendatarius de Newbottell. Commendatarius de Deir. Clericus Registri. Computorum Rotulator.

Cesfurde.

Anent oure Soverane Lordis letters rasit at the instance of Sir Walter Ker of Cesfurde knycht, Williame Ker his sone and apperand air, Walter Ker of Litildane sone and air of umquhile Sir Andro Ker of Hirsell knycht, and Johnne Edmestoun of that Ilk, makand mentioun.—That quhair James Davidsoun in Birnyrig, and Lancy Anyslie in Oxnem, wer fylit befoir the said Sir Walter Ker, Warden for the tyme, in ane bill of Thomas Forster of Edderstoun, Inglisman, be the space of ten yeris bipast or thairby; and becaus he could not have thame to entir to the opposite Warden for the said bill, and that he wald not proceid with him in utheris billis quhill the same wer first satisfiit, the saidis complenaris thairfoir, for the furtherance of justice and continewing of the amytie and peace betuix the twa realmis, gaif thair band, that thay sould aythor entir ane of the saidis personis fylit in the said bill within the space of fourty dayis thaireftir, or than sould answer and mak redres for the samyn bill of thair awin propir gudis. And now seing the said Thomas Forster hes persewit thame

Davidsoun and Anyslie.

for payment of the said bill, conforme to the said band, ressoun wald that the saidis complenaris had thair releif of the personis fylit thairin. And anent the charge gevin to the saidis James Davidsoun of Birnyrig and Lancy Anyslie, to have comperit personalie befoir James Erll of Mortoun Lord of Dalkeyth lait Regent to oure Soverane Lord, and Lordis of Secreit Counsale for the tyme, at ane certane day bip . . . have hard and sene thame decernit to warrand, releif, and keip the saidis complenaris . . . of the said bill at the handis of the said Thomas Forester and all utheris quhome it efferis, conforme to the lawis and practik of the Bordour observit in sic caissis; or ellis to have schawin ane ressonabill caus quhy the samyn sould not have bene done; with certificatioun to thame and thay failyeit, the saidis Lordis wald decerne in maner abone writtin, lyke as at mair lenth is contenit in the foirsaid letters. Quhilkis being diverse . . . callit afoir the said lait Regent and Lordis of Secreit Counsale for the tyme, and last upoun the xxii day of Januare the yeir of God j^{m}v^{c}lxxvi yeris; at the quhilk . . . said Williame Ker comperit personalie, with Maister Johnne Scharp his prelo . . . the said Maister Johnne comperand than as procuratour for the utheris . . . plenaris foirsaidis, and the said Lancy Anyslie being alsua personalie present, with Mr. Thomas Craig his prelocutor, and the said James Davidsoun being oftymes callit and not comperand; thair wes than divers defenssis gevin in in writ for the part of the said Lancy Anyslie, and answeris maid thairto, sen the quhilk tyme na thing hes procedit upoun in the said mater quhill the xvi day of Apryle instant, that the saidis James Davidsoun and Lancy Anyslie wer bayth chargeit to have comperit personalie befoir the Lordis of Secreit Counsale, the xxi day of the samyn, to have hard and sene the said mater walkynnit, and it procedit quhair it left, and justice ministrat thairintill as accordit, with intimatioun as efferit; as the letter direct thairupoun, executionis and indorsationis of the samyn, at mair lenth beris. Quhilkis being callit upoun the saidis xxii and xxiii day of Apryle instant, and the saidis Sir Walter Ker and Williame Ker his sone, and Walter Ker of Littildane comperand personalie, for thame selffis and thair collegis abonewrittin; and the saidis James Davidsoun and Lancy Anyslie being oftymes callit and not comperand; the foirsaid defenssis and answeris, togidder with the ressonis and allegationis of the party present, being hard, sene, and considerit be the Lordis of Secreit Counsale, and thay ryplie avisit thairwith;—the Lordis of Secreit Counsale decernis the saidis James Davidsoun and Lancy Anyslie to warrand, releif, and keip the saidis complenaris skaythles of the said bill at the handis of the said Thomas Forester and all utheris quhome it efferis, conforme to the lawis and practik of the Bordour observit in sic caissis; and ordanis letters to be direct heirupoun gif neid be in forme as efferis.

[Edinburgh, 24th April.] Caution for Andro Sympill.

The quhilk day Robert Grahame of Knokdoliane become actit and obleist cautionar and souirtie for Andro Maister of Sympill, that the said Andro

be himself, nor nane that he may let, sall invade, molest, nor persew Alexandar Callendar, minister, in tyme cuming, utherwayis nor be ordour of law and justice, under the pane of fyve hundrith pundis. And the said Andro obleist him to releif his said cautionar of the premissis, and of all pane and dangeare that he may incur thairthrow. Sic subscribitur: Robert Grahame of Knokdolyane. Andro Sympill.

Caution for the men of Strathcathro.

The quhilk day David Lindesay of Edzell become actit and obleist as cautionar and souirtie for David Lowsoun and Johnne Burne indwellaris in Strathcathro, to entir and present thame befoir oure Soverane Lord and Lordis of Secreit Counsale, quhair thay sal happin to be for the tyme, as the said David Lindesay salbe requirit thairto, upoun fyftene dayis warning, ilkane of thame under the pane of ane hundrith pundis. And the saidis personis obleist thame to releif thair said souirtie of all pane and dangeare that he may incur thairthrow. Sic subscribitur: D. Lindsay of Edzell.

[Stirling, 30th April.] . . . to the hagbut . . . of Edinburgh . . . turne.

The Kingis Majestie understanding that thair is certane harquebussieris repairing frome Edinburgh towart this burgh and Castell of Striveling, quhair his Hienes maist nobill persoun remanys; quhilk now is not convenient in respect of his Majesteis ordour and proclamatioun that his Majesteis Counsall sall repair unto his Hienes in peciabill maner with certane appointit nowmeris, and all uther convocationis in armes to be dischargeit, under the pane of incurring his Hienes heich displeasour and indignatioun. Thairfoir his Majestie, with avise of his Counsale, ordanis ane officiar of armes to pas, and in his Hienes name and authoritie, command and charge the commandar and all utheris the saidis hagbuttaris, to returne without delay toward Edinburgh, and on na wayis to cum fordwart or approche neirare his Hienes eftir the said discharge quhill thay ressave new and speciall commandiment frome his Hienes self and his said Counsale, under the pane of tressoun; certefeing thame and thay failye, thay salbe usit and persewit as innemeis and rebellis to his Majestie in exempill of utheris.

[Stirling Castle, 3d May.]

Sederunt—Rex. Joannes Comes Atholie Cancellarius. Archibaldus Comes de Angus. Colinus Comes de Ergyle. Andreas Comes de Rothes. Joannes Comes de Montrois. Willelmus Comes de Glencarne. Georgius Comes de Caithnes. Joannes Comes de Mar. Patricius Dominus Lindesay. Willelmus Dominus Ruthven. Joannes Dominus Hereis. Joannes Dominus Innermeyth. Patricius Magister de Gray. Commendatarius de Dunfermling. Commendatarius de Newbottill. Commendatarius de Deir. Commendatarius de Dryburgh. Commendatarius de Cambuskynneth. Clericus Justiciarie. Computorum Rotulator.

Ordour of the keping of the King.

Forsamekill as the Kingis Majestie oure Soverane Lordis maist nobill persoun hes bene kepit, nureist, and brocht up within the Castell of Striveling

under the charge of umquhile the Erll of Mar sumtyme Regent, and Alexander Erskin of Gogar his brother, almaist continewalie sen his Majesteis birth; and his Hienes now having acceptit the governament of the realme in his awin persoun, the Lordis of his Hienes Prevy Counsale, having lyke cair of his Majesties suir preservatioun and godlie and vertuus educatioun, his Hienes, with thair advise, thinkis it convenient that his Majesteis persoun yit still remane within his said Castell of Striveling. And thairfoir Johnne now Erll of Mar, as principall, taking and ressaving upoun him the charge of the attendance upoun his Majesteis persoun, preservatioun thairof, and keping of his said Castell of Striveling during his Hienes being thair; and nobill and michty Lordis, Johnne Erll of Atholl Lord of Balvany, Chancellair of Scotland, Archibald Erll of Angus Lord Dowglas and Abirnethy, Coline Erll of Ergyle Lord Campbell and Lorne, Johnne Erll of Montrois Lord Grahame, Williame Lord Ruthven Thesaurare of Scotland, and Patrik Lord Lindesay of the Byris, as cautionaris and souirteis with the said Erll of Mar, ar becum bund and obleist,—and be the tennour heirof bindis and obleissis thame upoun thair faythis, honouris, and allegeance,—that the said Erll of Mar, be himself, his freindis and servandis for quhome he salbe answerabill, sall keip the said Castell of Striveling in name and to the use and behuif of oure Soverane Lord, and sall alsua attend upoun his Hienes maist nobill persoun, and preserve the same within his said Castell at the devotioun and directioun of his Majestie and his Counsale, the cair of the attendance upoun his Hienes mowth and dyet continewing as afoir in the charge of the Lady Countesse of Mar; and that his Hienes persoun sall na wayis be removit nor transportit furth of the said Castell to ony uther place, nor that nane dissobedient to his authoritie or knawin not weill affectit to his Hienes,—nor thair wyffis, bairnis, or servandis,—salbe ressavit or sufferit to have interes or residence within the said Castell. As alsua that na Erll salbe ressavit within the said Castell with ma nor twa servandis, na Lord with ma nor ane, nor na gentilman bot singill and allane, and all without armour or wappynnis; and the nowmeris of the haill to be ressavit at any to be feird with . . . dinar nowmer interteneit within the said Castell; and that the instructioun and . . . of oure said Soverane Lord in literature and religioun under Maisteris Georgo Bucha . . . and Petir Young his present pedagogis, or sic as salbe heireftir electit be his Hienes . . . of his said Counsale to that charge, aggreing in religioun with the saidis Maisteris George and Petir; nor yit the exercise of religioun as it is approvit be Parliament and publi . . . usit in the said Castell sall na wayis be alterit or innovat, nor his Hienes present ped . . . or officiaris removed fra him, nor utheris placeit in thair chargeis, without speciall . . . advise and command of his Hienes, with avise of his said Counsale. And this present ord . . . and quhill his Majestie with avise of the saidis Lordis of his speciall Counsale, tak . . . heiranent to induir, as the said Erll and his souirteis foirsaidis will answer to our Soverane Lord upoun thair honouris, and under the pane of thair lyvis and heretage. Sic subscribitur: James R. Atholl Cancellarius. Angus. Ergyll. Montrois. Ruthven. Patrik L. Lyndsay.

Discharge to the Maister of Mar.

Forsamekill as certane nobill men and utheris of the Kingis Majesteis Counsale being nominat be Johnne Erll of Mar Lord Erskin, and Alexander Erskin of Gogar Maister of Mar his uncle, for componyng of the contraversy betuix thame tuicheing the lait alteratioun of the keping of the Castell of Striveling and preservatioun of the Kingis Majesteis persoun; his Hienes, with avise of his Prevy Counsale, and with the consentis of bayth the saidis Erll, and Maister finds it expedient and declaris, that the charge of the keping of the said Castell, and attending upoun the Kingis Majesteis persoun is and salbe committit to the said Erll of Mar upoun suirtie and cautioun for the dewtifull using and discharge of that service, the formar suirtie found be the said Maister of Mar being dischargeit; and that the Maister his uncle sall anys pas and tak ordour with his uther charge of the Capitanerie and keping of the Castell of Edinburgh, that the same may be furneist, and the munitionis being thairin put in gude ordour for the furthering of his Majesteis service. And quhenevir it sall pleis his Hienes to send for the Maister, or that he himself findis it meit to returne, he salbe welcum and haif acces to the Kingis Majesteis presens, that he may use his service and office at his Hienes tabill and in his chalmer, with my Lord of Mar; and thay sall do thair hartlie and kyndlie dewitie ayther of thame to uther in all thingis, as becumis the uncle and nephew; lyke as the Commendataris of Dryburgh and Cambuskynneth, the Lard of Drumquhassill his broder, and Johnne Reid of Aikinheid, with all utheris the freindis, servandis, and dependaris of the saidis Erll and Maister of Mar, sall everie ane do thair freindlie dewitie, and stand in freindschip with uther without grudge or forder mislyking heireftir, and trewlie concur in luif and freindschip, and for the service and preservatioun of the Kingis Majestie, as thay will answer to God and his Hienes thairupoun; for the quhilk thay have and sall mak thair solempnit aythis in his Majesteis presens. And becaus the said Maister of Mar hes ressavit the charge of the keping of the Castell of Edinburgh, and hes na thing of the proffeittis of the last crop to sustene the same upoun quhill November nix to cum, and alsua is superexpendit and awand sindry dettis for the provisioun of the Kingis Majesteis hous in tyme bigane;—thairfoir the Maister of Mar is, be the tennour heirof, dischargeit of his intromissioun of the haill assignatioun maid for sustening of the Kingis hous to have indurit fra the first day of November last bipast to the first day of November nix to cum, swa that he thairby may outred his saidis dett, and sustene the chargeis of the said Castell quhill Alhallowmes nixt; and that the Erll of Mar ressave the charge of furnissing and provisioun of the Kingis hous upoun sic provisioun as salbe appointit thairto upoun Mononday the fyft day of Maii instant.

Band of the freindis of the Hous of Mar.

Be it kend till all men be thir present letters, We, of the freindis of the hous of Erskin undersubscrivand: That forsamekill as the Kingis Majestie, with avise of his Prevy Counsale, having cair of his Majesteis suir preservatioun and godlie and vertuus educatioun, his Hienes with thair advise, hes thocht it convenient that his Majestie yit still remane within his said

Castle of Striveling; and for that effect Johnne Erll of Mar Lord Erskin, as principall, taking and ressaving upoun him the charge of the attendance upoun his Majesteis persoun and preservatioun thairof, and keping of his Hienes Castell of Striveling during his Hienes being thairin; and nobill and michtie Lordis Johnne Erll of Atholl Lord of Balvany Chancellair of Scotland, Archibald Erll of Angus Lord Dowglas and Abirnethy, Coline Erll of Ergyle Lord Campbell and Lorne, Johnne Erll of Montrois Lord Grahame, Williame Lord Ruthven Thesaurare of Scotland, and Patrik Lord Lindesay of the Byris, as cautionaris and souirteis, with the said Erll of Mar, ar becum actit and obleist upoun thair faythis, honouris, and allegeances, that the said Erll, be himself, his freindis and servandis—for the quhilkis he salbe answerabill, sall keip the said Castell of Striveling, in name and to the use and behuif of oure Soverane Lord, and sall alsua attend upoun his Hienes maist nobill persoun, and preserve the samyn within his said Castell, with certane utheris conditionis, under the panis of thair lyffis and heretage, as in ane Act subscrivit thairanent mair largelie is contenit. And seing the said honorabill charge can not be suirlie nor sufficientlie usit, without the ernist gude will assistance and concurrence of us, the freindis of the said Erll of Marris hous; thairfoir to be bundin and obleist, and be the tennour heirof faythfullie bindis and obleissis us upoun oure faythis, honouris, and allegeance, to concur and assist with the said Johnne Erll of Mar, in the diligent performing of his charge abone specifiit; and that he and we sall freith, releif, and keip the saidis cautionaris and souirteis skaythles and blameles, as we will answer to oure Soverane Lord and his authoritie upoun our honouris, and under the pane of our lyffis and heretage. Attour, we ar content that this oure obligatioun be actit and registrat in the bukis of Prevy Counsale ad futuram rei memoriam. In witnes heirof, we have subscrivit thir presentis with our handis as followis, at the Castell of Striveling, the thrid day of Maii, the yeir of God j^{m}v^{c}lxxviii yeris. Sic subscribitur: Mar. Buchane. Alexander Maister of Mar. James Erskin of Littill Sawchy. Tulibardin, Comptroller. Cambuskynneth. Dryburgh. Johnne Murray of Tuchadam. Robert Erskin fear of Dun. James Colvile of Eistir Wemys. Williame Dowglas of Lochlevin. George Buchannane of that Ilk. Alexander Forester of Garden. James Edmestoun of Duntreth. Johnne Birsbane of Bischoptoun. Johnne Erskyn. Johnne Levingstoun. Robert Murray of Abircairny. James Galbrayth of Kilcowich. D. Lindsay of Edzell.

Discharge to the Maister of Mar.

Forsamekill as the keping of the Castell of Striveling, with the maist nobill persoun of oure Soverane Lord within the same, being committit to Alexander Erskin of Gogar Maister of Mar, he and nobill and michtie Lordis, Gilbert Erll of Cassillis Lord Kennedy, Hew Erll of Eglintoun Lord of Montgomery, Patrik Lord Lindsay of the Byris, and Williame Lord Hay of Yeistir, as cautioneris for him, wer bund and obleist that the said Alexander be himself, and the freindis and servandis of the young

Erll of Mar his nepho, for quhilkis he sould be answerabill, sould keip the said Castell of Striveling, in name and to the use and behuif of oure Soverane Lord, and sould alsua suirlie and sauflie keip and observe the maist nobill persoun of his Hienes within his said Castell; and for thair releif fand certane freindis of the hous of Erskin cautionaris and souirteis, quhilkis become bund and obleist to concur and assist with the said Alexander Maister of Mar in the diligent performyng of his charge abone specifiit; and that he and thay sould freith, releif, and keip his saidis principall cautionaris and souirteis skaythles and blameles, as thay wald answer to his Hienes upoun thair honouris, and upoun the pane of thair lyffis and heretages, as the Act and obligatioun maid thairupoun at mair lenth proportis. And now the Kingis Majestie, with avise of his Counsale, having committit the charge of the keping of the Castell of Striveling and attending upoun his Hienes persoun to Johnne Erll of Mar Lord Erskin, upoun souirtie and cautioun for the dewtifull using and discharge of that service, as is heireftir specifiit. Thairfoir his Hienes, with avise of the saidis Lordis of his Prevy Counsale, declaris that the said Alexander Maister of Mar hes trewlie and sufficientlie usit and exerceit the said charge sen his acceptatioun thairof unto the dait heirof, and thairfoir exoneris, quitclamis, and dischargeis the said Alexander, the saidis Erll . . . Cassillis and Eglintoun, Lordis Lindesay and Yeistir, his cautionaris and suirteis, a . . . the saidis freindis of the hous of Erskin as cautionaris and souirteis for thair releif, th . . . airis, executouris, assignayis, and successouris of the same cautioun for now and ever, a . . . ordanis this present Act, exoneration, and discharge to be ratifiit and apprevit in Parliament ad futuram rei memoriam.

Act anent the Thesauraris office.

Forsamekill as be ane Act maid be the Kingis Majestie, with avise of his Nobilitie and . . . of the dait the xxiiii day of Marche last bipast, it wes providit and ordanit . . . na giftis, signatouris, remissionis, respettis, conductis or utheris letters sould . . . cuming without the advise and consent of the Lordis of Secreit Counsale, and that all . . . and signatouris sould be first subscrivit be sa mony of the said ordinar Counsall as sould be present for the tyme, to the nowmer of sex personis at the fewest sittand togidder in Counsale (the Chancellair alwayis being ane); and that the seillis and signet sould not be answerit to ony letters but sic as wer subscrivit in maner foirsaid; and the said ordour quhill the Parliament appointit the tent day of Julii nixt to indure, as the said Act at mair lenth proportis. Sen the making quhairof thair hes bene littill or na expeditioun in the passing of signatouris, throw the occasioun of the difficultie in the observatioun of the said appointit ordour, and that his Hienes Counsale hes not maid residence besyde his Majestie. And seing the meaning of his Hienes and his said Counsale wes not heirtofoir understand,—quhilk wes and is in effect that thair salbe na stay or impediment in the offices of the Thesaurarie or Comptrollarie in passing of ony ordinar thingis belanging to thair offices, bot the same to have cours at the seillis or utherwayis as of

befoir, upoun the subscriptioun of the Kingis Majestie and ordinar officiar onelie to quhome the cais propirlie concernis as in tyme bipast; bot that the said restraint and subscriptionis of the Chancellare and Counsale sall onelie be of necessitie requisite, to all signatouris or letters importing compositioun in the caissis following, or ony noveltie in the state and forme—hinderance and diminutioun—of the Kingis commoditie and proffeit, or quhilk may tuiche his Hienes in honour and conscience as tending to the prejudice and stay of justice, and to partiis skaythit and interessit wranguslie; quhilkis his Hienes and Counsale willis to be diligentlie sichtit and cairfullie considerit be his haill Counsale; as specialie all new infeftmentis be the faderis to thair sonnis, quhilkis may prejuge the wardis and mariages likelie to fall; all taillies from the airis generall to the airis maill; all dispositioun of the propir landis annexit to the Croun; all altering of haldingis blanche quhilk of befoir wes haldin ward; all giftis or confirmationis of regaliteis, erectionis of baroniis, unionis or burghis in barony; all recognicionis, dispositionis of landis falling be forfaltour or last air; rehabilitationis and restitutionis of thame that hes bene forfaltit, improvin or defamit; all conductis and licencis to transport forbodin geir; all nonentressis in prejudice of the subvassellis; all respettis, remissionis, tutoreis datives and naturalizationis. The signatouris of quhilkis, gif ony salbe thocht meit for ony gude considerationis to pas, his Hienes willis thame to be considerit and first subscrivit be his Counsale, according to the said Act.

Anent the wynis.

The Kingis Majestie and Lordis of Secreit Counsale being informit that thair is divers schippis with wynis laitlie arrivit and to arryve at the portis of Leyth, Dunde, and utheris partis of this realme; of the first and best quhairof it is convenient that his Majestie be servit for the use and furnissing of his Hienes hous. Thairfoir ordanis letters to be direct to officiaris of the Kingis, Shereffis in that part, chargeing thame to pas, command, and charge all and sindry personis alreddy arryvit or that sal happin to arryve with ony wynis at the saidis portis of Leyth, Dunde, and utheris portis of this realme this present yeir, that thay retene and keip the same wynis within schipburde unlossit quhill the same be taistit, waillit, and ane tun of every ten tunnis of the saidis wynis markit and laid in sellar to oure Soverane Lordis use, be his Hienes Symleir or Thomas Lindesay Snawdoun Herauld, in Leyth, and in Dunde or utheris portis quhair wynis arryvis be his said Symleir or sic as sal have directioun fra him, for thankfull and gude payment at ressonabill and sufficient pryces to be maid thairfoir; and to arreist the saidis wynis, to remane under arreistment in schipburde quhill the saidis wynis be taistit, markit, waillit, and ane tun of every ten tunnis sellarit and laid apart to his Majesteis use as said is, as thay will answer to his Hienes upoun the executioun of thair offices.

[Stirling, 6th May.]

Sederunt—Joannes Dominus Atholie Cancellarius. Archibaldus Comes Angusie. Colinus Comes Ergadie. Joannes Comes de Montrois. Georgius Comes de Caithnes. Willelmus Dominus Ruthven. Patricius Dominus Lindesay. Joannes Dominus Hereis. Commendatarius de Dunfermling. Commendatarius de Newbottill. Commendatarius de Deir. Alexander Magister de Mar.

All giftis of offices to stay.

The Kingis Majestie and Lordis of his Secreit Counsale, considering that the tyme is not yit propir and convenient to erect his Hienes hous with all the officiaris and servandis belanging thairto, and albeit sindry signatouris and giftis of offices and services be socht of his Hienes, with feis and dewiteis to be payit thairfoir. Nevirtheles, his Majestie, with avise of his said Counsale, ordanis all the saidis signatouris and giftis to stay unpast the seillis, or the saidis feis to be answerit, quhill the erectioun and constitutioun of his Hienes hous upoun perfyte knawlege and consideratioun of his Majesteis rentis; dischargeing his Hienes Thesaurare, Comptrollar, and keparis of his Prevy Seill and Signet all utherwayis and of thair offices in that part.

[Edinburgh, 13th May.]

Sederunt—Joannes Comes Atholie Cancellarius. Georgius Comes de Caithnes. Andreas Comes de Rothes. Willelmus Dominus Ruthven. Jacobus Dominus Ogilvy. Joannes Dominus Hereis. Adamus Episcopus Orchadensis. Commendatarius Dunfermling. Commendatarius de Deir. Patricius Magister de Gray. Alexander Magister de Mar.

Clerk.

Anent oure Soverane Lordis letters, rasit at the instance of Robert Clerk and Kathrene Barclay his spous, makand mentioun.—That quhair thay have bene thir divers yeris bigane in possessioun of all and haill the landis of Croftgarie and Brago, with thair pertinentis, liand in the Barony of Beith and Sherefdome of Fyff, be teilling and sawing of cornis, pasturing of thair cattell and gudis thairupoun, and using of the saidis landis as thair rowme and steding utherwayis at thair pleasour, as thay thocht expedient; and swa, conforme to thair possessioun foirsaid, thay have sawin the quheit seid on the samyn and twa chalder of ait seid, this instant yeir of God j^{m}v^{c}lxxviii yeris, and hes occupiit the samyn as thair rowme and steding foirsad during the space abonespecifiit, but impediment; quhill now of lait, betuix the dimissioun of the regiment of this realme be James Erll of Mortoun Lord of Dalkeyth, and the acceptatioun thairof in his Hienes awin handis, that Barthilmo Quhyte Chalmerlane to James Abbot of Sanct Colmis Inche, Lindesay of Dowhill, Patrik Lindesay his broder, Johnne Tyrie eldar, Johnne Tyrie youngar his sone, Alexander Tyrie, and Andro Tyrie,—with divers utheris thair complices, to the nowmer of four scoir personis or thairby, all bodin in feir of weir, with jakkis, speris, swerdis, daggis, aixis, and utheris wappynnis invasive, in contrair the Actis of Par-

Sanct Colme.

liament,—of the speciall hounding, sending, command, assistance, and ratihabitioun of the said Abbot of Sanct Colmis Inche and James Stewart his eldest sone and apperand air, come upoun the xi day of Marche last bipast to the ground of the saidis complenaris landis and steding of Croftgarie and Brago, and siclike to thair dwelling houssis of the samyn; and thair with foir hammeris, maisterfullie, wranguslie, and violentlie brak up the durris of thair saidis dwelling houssis, perforce enterit thairintill, and spuilyeit and tuke furth thairof thair haill insicht gudis and geir, with four hors, ten oxin, and four ky, togiddir with ane stak of aittis unthreschin and ane uther stak threschin being within thair barne; and siclyke furth of thair barne yaird thre stakkis of aittis and ane uther of beir, extending to ane greit quantitie . . . and spuilyeit and tuke the samyn away with thame; and in lyke maner furth . . . chalmer ane greit ark full of meill and violentlie dang out the boddum thairof . . . burne rynnand thairby, and skaillit and sparpallit the meill being within the samyn, extending to ane greit quantitie, in the said burne; and maisterfullie and perforce brak up thair kistis standand within thair said chalmer and uther . . . spuilyeit thair haill gold and silver furth thairof, with thair clothing and abulyeamentis; and swa hes thairthrow put thame to extreme povirtie and heirschip. And not being content with the foirsaid wrangus, violent, and maisterfull oppressioun committit be the foirsaidis personis of the said Abbottis causing and command as said is, come . . . new agane to the dwelling hous of thair said steding, and maist wranguslie, violentlie, and maisterfullie tirvit the riggingis thairof, evertit, kaist doun, and distroyit to the ground, the biggit wallis thairof, and violentlie ejectit and put the saidis complenaris furth of the samyn,—thay nevir being warnit be the Abbot of Sanctcolme nor his sone foirsaid to flit thairfra, at the leist nevir callit to heir decreit gevin, nor na letters nor chargeis past nor execute upoun thame for removal furth thairof; and swa not onelie hes committit oppin and manifest oppressioun upoun the saidis complenaris, bot alsua hes ejectit and put thame fra thair possessioun of the saidis landis, and yit remanis upoun the ground of thair steding foirsaid, boistand and manassand thame dalie to leif the samyn, and will not permit and suffer thame to manure, brouke, joise, and saw the remanent of thair beir seid and use the samyn as thair rowme and steding foirsaid, but impediment, unto the tyme thay be lauchfullie callit and ordourlie put thairfra be the law, without thay be compellit. And anent the charge gevin to the saidis James Commendatare of Sanct Colme, James Stewart his sone, Lindesay of Dowhill, Patrik Lindesay his broder, Johnne Tyrie eldar, and Johnne Tyrie youngar, to have comperit befoir the Lordis of Secreit Counsale at ane certane day bipast, to have answerit to the complaint abonespecifiit, under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thay failyeit, utheris letters sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the foirsaidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the saidis Robert Clerk and Kathrene Barclay his spous comperand bayth

personalie, and the said James Commendatare of Sanctcolme and Johnne Tyrie youngar being alsua personalie present, and the saidis Lindesay of Dowhill, Patrik Lindesay his broder, and Johnne Tyrie eldar being oftymes callit and not comperand. The ressonis and allegationis of the partiis present being hard and considerit be the saidis Lordis, and thay ryplie avisit thairwith, the Lordis of Secreit Counsale remittis the said mater to be persewit civilie or criminalie befoir the Juge Ordinar as accordis.

[Stirling, 28th April.] That nane repair armit to the Kingis presens.

The Kingis Majestie having taken deliberatioun with sic nobill men and utheris of his Counsale as ar presentlie with his Hienes, tuicheing the retenyng of the publict peace and quietnes within the realme amangis all his Majesteis subjectis, and to avoid all evill occasionis tending to the disturbance thairof; it is thocht maist meit that his Majesteis haill Counsale salbe with his Hienes at Striveling upoun Fryday nixt, the secund day of Maii, in peciabill maner; every Erll accumpaneit onelie with xxiiii personis or within, and every Lord or uther persoun being of the same Counsale with xvi personis or within. And to the effect that this godlie and gude werk may proceid the mair quietlie, to the honour of God, the obedience of his Majestie, and commoun weill of his realme, his Majestie ordanis letters to be direct; chargeing all and sindry the nobill men and utheris of his said Counsale, be oppin proclamatioun at the marcat croce of Striveling and utheris places neidfull, that nane of thame presume or tak upoun hand to exceid the said nowmer of thair awin servandis, nor of na utheris of thair retenew and dependence; and to inhibit and discharge all and sindry utheris his Majesteis liegis, be oppin proclamatioun at the said marcat croce and utheris places neidfull, of all making of convocatioun in armes, or ony wayis reparing armed to the presens of his Majestie or to the said burgh of Striveling, the said secund day of Maii, or thaireftir quhill his Hienes and his said Counsale have resolved in the caussis now to be deliberat, and thair conventioun dissolvit, under the pane of incurring his Hienes indignatioun and heich displeasour; certifeing thame that dois in the contrair, thay salbe repute, estemit, persewit, and puneist as the disturbaris of the publict peace, innemeis and unnatural subjectis to his Majestie and the commoun weill and quietnes of this thair native cuntre; and to signifie and mak intimatioun that his Hienes hes takin, and be the tennour heirof takis, all the nobill men and utheris of his said Counsale now send for be his Majestie, and personis serving and accumpanying thame within the nowmeris befoir specifiit, under his Hienes firme protectioun and saulfgard, quhilk the attendaris upoun his Majesteis persoun and keparis of his Castell of Striveling, and the Provest, Baillies, and inhabitantis of this Burgh of Striveling, hes faythfullie and assuritlie promeist to observe and se kepit unviolat.

Forsamekill as the Kingis Majestie oure Soverane Lord having taken deliberatioun anent the retenyng of the publict peace and quietnes within

the realme amangis all his Hienes subjectis, and to avoid all evill occasionis tending to the disturbance thairof, hes thocht meit that his Majesteis haill Counsale salbe with his Hienes at Striveling, upoun Fryday, the secund day of Maii nix to cum, in peciabill maner, with certane appointit nowmeris of personis, to the effect that the godlie and gude werk intendit may the bettir proceid, to the obedience of his Majestie and commoun weill of his realme; and hes taken all the nobill men and utheris of his said Counsale now send for be his Majestie and personis serving and accumpanying thame under his Hienes firme protectioun and saulfgaird. Thairfoir we undersubscrivand, attending upoun his Majesteis service and persoun within his Castell of Striveling, faythfullie promeissis upoun our trewth and allegeance to his Majestie, that we sall cairfullie travell, to se his Hienes ordour, protectioun, and saulfgard abonewrittin, observit and kepit unviolat be us or ony of us, or thame quhome we may let and command; nayther sall we particularlie follow, assist, or favour ony of the saidis nobill men or utheris pretending to attempt onything in the contrair, or mak provocatioun of displeasour in word, deid, or countenance, and resist and repres the authouris of ony sic thing at the uttirmest of our possibilitie, as we will answer to God and his Majestie thairupoun. Subscrivit with our handis at the Castell of Striveling, the xxix day of Apryle, the yeir of God j^{m}v^{c}lxxviii yeris. Sic subscribitur: Mar. Cambuskynneth. Dryburgh. All personis reparing to the King takin under his protectioun.

Sederunt—Joannes Comes Atholie Cancellarius. Andreas Comes de Rothes. Georgius Comes de Caithnes. Jacobus Dominus Ogilvy. Joannes Dominus Hereis. Adam Episcopus Orchadensis. Magister de Gray. Robertus Commendatarius Dunfermling. Marcus Commendatarius Newbottill. Robertus Commendatarius de Deir. Magister de Mar. [Edinburgh, 14th May.]

Anent oure Soverane Lordis letters rasit at the instance of Maisteris David Borthuik of Lochill and Robert Creichtoun of Elyoke, his Hienes Advocattis as Erll of Lennax, makand mentioun. That quhair his Hienes umquhile dearest guidsire, Mathow Erll of Lennax Lord Dernlie, Regent to his Majestie, his realme and liegis,—being constitute Baillie of the lordship and regalitie of Glasgow, to quhome our said Soverane Lord succeidis nearest and lauchfull air, and having takkis thairof as yit to ryn, lyke as the said umquhile Erll, his guidsire, grandsire, foirgrandsire, and all utheris his foirbearis, wer kyndlie Baillies of the samyn, and broukit the office thairof past all memory,—maid and constitute Sir Johnne Stewart of Mynto knycht, and his airis, undoubtit Baillies of the said lordship and regalitie, as the letter of Bailliarie grantit thairupoun, schawin to the Lordis of Prevy Counsale beris. And that becaus oure said Soverane Lordis dearest guidsire being promovit to the regiment of this realme could not convenientlie nor mycht not exerce the said office be himself, nevertheles Robert Lord Boyd, upoun quhat titill or rycht the saidis Kingis Advocattis.

Advocattis knawis not, hes in thir lait troubles . . . in the moneth of November, the yeir of God j^{m}v^{c}lxxiii yeris, intrusit himself in possessioun of the said baillierie, usit the office thairof, and dispossest . . . Sir Johnne Stewart fra that rowme, in the quhilk he wes placeit be the said umquhile Erll, and will not suffer him entir thairto without he be compellit, to the . . . hurt and prejudice of his Hienes and of the personis his kyndlie subjectis in the said jurisdictioun. And anent the charge gevin to the said Robert Lord Boyd to have comperit befoir the Lordis of Secreit Counsale at ane certane day bipast, bringand with him quhatsumevir tak, rycht, or titill he had of the said Baillierie, to have bene sene and considerit be the saidis Lordis, and to have hard and sene our said Soverane Lord as Erll of Levenax and principall Baillie foirsaid, and the takkismen abone writtin decernit to have bene repossest in the place quhair his said umquhile gudesire and his said takkismen wer befoir the said intrusioun, for using and brouking of the said office for all yeris and termis thairof to ryn, conforme to thair rychttis and titillis, nochtwithstanding ony pretendit titill acquirit be the said Lord Boyd sen the dait of his Hienes umquhile gudesiris tak foirsaid; or ellis to have allegeit ane ressonabill caus quhy the samyn sould not have bene done, with certificatioun to him and he failyeit, the saidis Lordis wald decerne in maner foirsaid, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof. Quhilkis being callit, and the said Maister Robert Creichtoun comperand personalie, and the said Robert Lord Boyd comperand be Maister Thomas Craig and Robert Boyd of Badinheth his procuratouris; the rychttis, ressonis, and allegationis of bayth the saidis partiis being hard, sene, and considerit be the Lordis of Secreit Counsale, and thay ryplie avisit thairwith; the Lordis of Secreit Counsale decernis and ordanis oure Soverane Lord as Erll of Levenax to be repossest agane in the said office of Baillierie, to be broukit and usit be him and utheris in his name in tyme cuming, ay and quhill he be lauchfullie callit and ordourlie put thairfra be the law.

[Edinburgh, 16th May.]

Sederunt—Joannes Atholie Comes Cancellarius. Andreas Comes de Rothes. Georgius Comes de Caithnes. Willelmus Dominus Ruthven. Jacobus Dominus Ogilvy. Joannes Dominus Hereis. Patricius Magister de Gray. Commendatarius de Dunfermling. Commendatarius de Deir. Magister de Mar. Clericus Registri.

Kingis Advocattis.

Anent oure Soverane Lordis letters rasit at the instance of Maisteris David Borthuik of Lochill and Robert Creichtoun of Elyoke, his Hienes Advocattis, makand mentioun.—That quhair his Hienes dearest moder in the moneth of Apryle, the yeir of God j^{m}v^{c}lxiiii yeris, gaif and grantit to Johnne Erll of Atholl ane Commissioun of Justiciarie for all the dayis of his liftyme, within all and sindry the landis and boundis eftirspecifiit; to wit, all and haill his landis liand within the erledome of Atholl, with tenentis and

Atholl.

tenandriis thairof, and all and sindry landis pertening to the Priorie and Convent of the Charterhous, with all and haill the landis pertening to the Abbot and Convent of Cowpar liand within the said Erledome, the landis of Forthergill and Fossis, the landis and lordschip of Lude liand within the saidis boundis, the landis of the Forrest of Cluny and Baronyis of Strowane, Apnadull and Grantuly, the landis of Weme, the landis of Rannoch and Strathardill, Glensche, the landis and Barony of Ratray, liand within the Sherefdome of Perth, the landis and Lordschip of Balvany and Barronyis thairof, with tenentis, tenendriis pertening thairto liand within the Sherefdome of Banff; with power to the said Erll to set, begin, fense, proclame, hald, and continew as sall seme gude to him, Justice Airis and courtis of Justiciarie, sectis to call, absentis to amerciat, transgressouris and malefactouris to justifie, conforme to the lawis of this realme within all the saidis boundis upoun the inhabitantis thairof; with power alsua to him to replege all personis dwelland within the saidis boundis indytit or arreistit befoir the Justice Generall, unto the privilege and libertie of the said Erllis justice air or Justice Courtis of the landis foirsaidis within all the boundis abonespecifiit. And forder with power to him to uplift the haill proffeittis, emolumentis, eschetis, unlawis, amerciamentis, and all utheris divoriis of the saidis Justice Airis or Justice Courtis, and that may fall thairby, or mycht in sic caissis have appertenit to our said Soverane Lord, to the said Erllis awin use, utilitie and proffeit, without ony compt or payment to be maid thairof to our said Soverane Lordis dearest moder, or hir successouris, exonerand and dischargeand him thairof for evir; and alsua that it salbe lefull to the said Erll to puneis the transgressouris, malefactouris, trespassouris and offendaris within the saidis boundis for quhatsumevir crymes bigane, conforme to the quantitie thairof to compone thairfoir; exceptand onelie the crymes of tressoun and lese majestie, as at mair lenth is contenit in the said commissioun of the dait foirsaid. Quhilk pretendit commissioun is not onelie gevin and past be our said Soverane Lordis dearest moder aganis all use, forme, and ordour observit in sic commissionis impetrat and grantit, bot alsua his Hienes is havelie hurt thairby in diverse respectis. In the first, takand fra his Hienes the commoditie of the saidis haill eschetis, amerciamentis, unlawis, divoriis and pecuniall panis of the foirsaidis justice airis and courtis quhilkis of dew aucht and sould pertene to his Hienes. And forder gevand be the said commissioun unto the said Erll, oure Soverane Lordis princelie power—to wit to forgif and remit crymes, alsweill that deservis the death as utheris (the crymes of tressoun and lese majestie onelie exceptit) quhilk onelie appertenit to the King and Prince of this realme, and nevir usit custumable of befoir to be grantit to ony inferiour subject of this realme; and thairfoir sen the said commissioun wes grantit be oure said Soverane Lordis dearest moder unadvisitlie as apperis contenand the said office of Justiciarie, sa hurtfull unto his Hienes commoditie, privilege and libertie of his croun, and sen the said gift of justiciarie is bot ane office gevin and limitat for ane tyme not heretablie be his Hienes said dearest moder, quha of ane gude tyme bipast hes

dimittit all rycht, titill, and regiment quhilk schö mycht pretend unto this Realme, quhairthrow schö is presentlie to be haldin as naturallie departit frome this mortall lyff, within all the dominionis of this Realme; in respect of the quhilk, and of the utheris hurtfull caussis and occasionis abonespecifiit, the said commissioun, and the haill effect thairof, aucht to be suspendit, dischargeit and ceis in all tyme cuming, and the Justice Generall or utheris quhome his Hienes plesis nominat to the said office of Justiciarie within the saidis boundis to be fre to use the samyn at thair pleasour; and the said Erll decernit to ceis fra all forder executioun of the said commissioun in all tyme cuming;—quhairanent summar proces aucht to be led, and the said mater schortlie to be considerit, and ordour to be takin thairanent with expeditioun, that justice may be ministrat within the boundis foirsaidis in all thingis concerning the said office of justiciarie, be sic personis as sal happin to have power to do and execute the samyn be his Hienes commissioun and power. And anent the charge gevin to the said Johnne Erll of Atholl, to have comperit befoir James Erll of Mortoun Lord of Dalkeyth, lait Regent to oure Soverane Lord, his realme and liegis, and Lordis of Secreit Counsale at ane certane day bipast, bringand with him the said commissioun, to have bene sene and considerit be the said Regent and Counsale foirsaid; that gif it had bene fundin to have bene grantit in maner as is befoir rehersit, to have hard the samyn be thair decreit and ordinance decernit and declarit to be suspendit and dischargeit, suspending and dischargeing the samyn thairby in all tyme to cum to remane without effect; and the said Erll decernit to desist and ceis fra all forder using of the said commissioun, and the saidis inhabitantis within the boundis foirsaidis dischargeit to obey or acknawlege said Erll, his officiaris and ministeris, in ony caus of justiciarie in all tyme thaireftir for the caussis foirsaidis; with certificatioun to the said Erll and he failyeit, that the said Regent and Counsale foirsaid wald discharge and suspend the said commissioun simpliciter, and decerne the samyn and effect thairof to ceise in all tyme to come, and have na forder effect nor executioun, lyke as at mair lenth is contenit in the saidis letters. Quhilkis being callit in presens of the said lait Regent and Lordis of Secreit Counsale upoun the xxv day of Junii, the yeir of God j^{m}v^{c}lxxvi yeris, and the said Maister David comperand personalie, and the said Johnne Erll of Atholl comperand be Maisteris Johnne Scharp, Alexander Mauchane, and Alexander Skene his procuratouris; the said mater wes continewit to the xxiiii day of Julii nixt thaireftir. At the quhilk day nor . . . na thing hes bene procedit upoun in the said mater, bot the samyn hes slep . . . continewalie quhill now laitlie, that the saidis Maisteris David Borthuik and . . . Creichtoun wer warnit to have comperit befoir the Lordis of Secreit Counsale, bringand with thame the said principall summondis, and haill process led and d . . . thairupoun, to have bene sene and considerit be the said Lordis, and to have hard and sene thame decernit to insist in the persute of the saidis principall caus unto the finall end and decisioun thairof, and justice ministrat thairin as efferit; with certificatioun to thame and thay failyeit, the saidis Lordis wald

decerne and ordain the said commissioun to be valiabill in the self to have effect and to be put to forder executioun as accordit, nochtwithstanding of ony suspensioun of the samyn of befoir, lyke as at mair lenth is contenit in the said warning. The said Maister David Borthuik comperand personalie and insistand in the persute of the said principall caus, and the said Johnne Erll of Atholl being alsua personalie present, with Maister Johnne Scharp his prelocutour. The ressonis and allegationis of bayth the saidis partiis, togidder with the said Commissioun, being hard, sene, and considerit be the saidis Lordis and thay ryplie avisit thairwith, the Lordis of Secreit Counsale findis na relivant caus libellit nor allegeit to suspend or discharge the said Commissioun; and thairfoir decernis and ordanis the samyn to be valiabill in the self to have effect, and to be put to forder executioun as accordis, nochtwithstanding the ressonis of the said summondis, or ony suspensioun of the same commissioun of befoir.

That nane transport the slayaris of the Lard of Gairdin furth of this realme.

Forsamekill as it is understand to the Lordis of Secreit Counsale be complaint maid be the bairnis, kin, and freindis of umquhile Patrik Gairdin of that Ilk, that Williame Guthre sone to Guthre of that Ilk, with his complices, bodin with daggis and pistolettis, prohibit to be worne be Actis of Parliament and Secreit Counsale, upoun the tent day of Maii instant set upoun the said umquhile Patrik Gairdin, and cruellie, schamefullie, and unmercifullie slew him be schot of ane gun or dag upoun set purpois and provisioun, in hie contemptioun of our Soverane Lord, his authoritie and lawis. And nochtwithstanding the said Williame Guthre and utheris his complices gilty of the said slauchter, myndis schortlie to depart furth of this realme to the partis beyond sey for eschewing of punisement dew thairfoir, to the evill exempill of utheris wickit men to do the lyke gif tymous remeid be not providit. And thairfoir ordanis letters to be direct to officiaris of armes, Shereffis in that part, to pas, command, and charge all and sindry maisteris, skipparis, and marinaris of schippis, crearis or utheris veschellis, be oppin proclamatioun at the marcat croces of Abirdene, Montrois, Dunde, Sanctandrois, and utheris places neidfull, that nane of thame tak upoun hand to transport the said Williame Guthre, or utheris his complices gilty or suspect to be gilty of the said slauchter, in thair saidis schippis or veschellis furth of this realme, for eschewing of punisement dew thairfoir, under quhatsumevir cullour or pretens, under the pane to be repute, haldin and estemit as art and partakaris with thame of the samyn slauchter; certifeing thame and thay do in the contrair, thay salbe callit, puneist, and persewit thairfoir indifferentlie with thame with all rigour and extremitie in exempill of utheris.

[Johnne Cunynghame of Drumquhassill surety for the entry of Donald M^{c}Conill Gromeich son of James M^{c}Conill Gromeich, by Coline Earl of Ergyle before the Council.]

[Edinburgh, 19th May.] *Sederunt*—Joannes Comes Atholie Cancellarius. Géorgius Comes de Caithnes. Willelmus Dominus Ruthven. Jacobus Dominus Ogilvy. Joannes Dominus Hereis. Patricius Magister de Gray. Commendatarius de Newbottill. Commendatarius de Deir. Magister de Mar. Clericus Registri.

Haitleis. Burnfeildis. [Letters raised at the instance of Alexander Haitlie of Lambden, Johnne Haitlie in Brumehill, George Haitlie in Hordlaw, and Laurence Haitlie in Haliburtoun, against James Burnfeild of Pittilisheuch, Johnne Burnfeild of Grenelawdene, Alexander Burnfeild in Eistfeild, Adam Burnfeild in Hardakeris, James Burnfeild in Quhytehous, and Alexander Burnfeild in Gordoun Manys, as principals; and Sir James Hume of Coldenknowis, and Mr. Thomas Lyoun of as cautioners; for contravening the conditions of certain Acts. Pursuers and defenders having appeared before the Council, my Lords refer the proving of the charge to the complainers.]

[Stirling Castle, 30th May.] Forsamekill as the Kingis Majesteis halkis fleing away ar commonlie takin and . . . be the findaris of thame and not brocht agane upoun misknawlege that thay pertene . . . his Majestie. Thairfoir ordanis letters to be direct, chargeing all and sindry his Hienes lieges that sal happin to find and tak ony with halkis within twelf mylis of Striveling, that thay bring and present them without delay to his Majestie, as thay will answer upoun thair obedience at thair uttirmest charge and perrell; certifeing thame that failyeis, thay salbe repute, estemit, and persewit as the stelaris of the saidis halkis and puneist thairfoir with rigour in exempill of utheris.

[Stirling Castle, 1st June.] *Sederunt*—Joannes Comes Atholie Cancellarius. Colinus Comes Ergadie. Willelmus Dominus Ruthven. Jacobus Dominus Ogilvy. Dominus Innermeyth. Commendatarius de Dryburgh. Computorum Rotulator. Magister Georgius Buchannane.

Charge to men of weir to disarme. The Kingis Majestie and Lordis of his Prevy Counsale, understanding that be Act of Parliament it is expreslie providit that na maner of persoun or personis, of quhatsumevir qualitie estate conditioun or degre thay be of, attempt to raise ony bandis of men of weare on hors or fute, with culveringis, pistolettis, pikkis, speris, jakkis, splentis, steilbonettis, quhyte harnes or uther munitioun bellicall quhatsumevir, for dalie, oulklie, or monethlie wageis, without his Majesteis speciall licence in writt had and obtenit thairto, under the pane of deid to be execute upoun the rasaris of the saidis bandis, as alsua upoun thame that convenis and rysis in bandis; as the said Act at mair lenth proportis. And that nochtwithstanding, as his Hienes is crediblie informit, thair is certane men of weare rasit and interteneit within the Burgh of Edinburgh and utheris burrowis and partis of this realme; his Hienes and his said Counsale meaning alwayes the observatioun of publict peace and quietnes amangis all his subjectis, and that all face of hostilitie salbe left of and ceis; thairfoir ordanis letters to be direct to

officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croce of Edinburgh and utheris marcat croces and places neidfull within this realme, and thair be oppin proclamatioun in his Hienes name and authoritie, command and charge all and sindry the saidis men of weare, that incontinent eftir the said charge, thay brek and disarme thame selffis; and that nane of his Hienes liegis tak upoun hand to raise, or interteny ony maner of bandis of men of weir, with culveringis pistolettis or uther armour on hors or fute, for dalie oulklie or monethlie wageis, in tyme cuming, without our said Soverane Lordis speciall licence in writt, eftir the forme and tennour of the said Act of Parliament, and under the pane of deid abonewrittin contenit thairin, to be execute alsweill upoun the rasaris as upoun thame that convenis and rysis.

Sederunt—Domini ut in die predicto.

[Stirling Castle, 2d June.] Charge to cum to the Conventioun in peciabill maner.

The Kingis Majestie and Lordis of Secreit Counsale, considering the tyme of the Parliament approcheing at the tent day of Julii nix to cum, and willing that the ordour of the said Parliament and materis that necessarlie ar to be intreatit thairin salbe considerit of afoir hand, to the effect that quhen the Parliament cummis thingis may proceid with the greittar expeditioun and quietnes, and with uniforme consent of myndis amangis the Estaittis; for quhilk caus his Majesteis haill Counsale ar be his letters appointit to convene at Striveling upoun the tent day of Junii instant, that be thair presens and gude advise the wechtie caussis concerning his Hienes and the publict weill and quietnes of the realme may be advisedlie considerit of and deliberat. Quhairfoir and to the effect that this gude purpois may proceid with the greittar expeditioun quietnes and contentment, ordanis letters to be direct to officiaris of the Kingis Shereffis in that part, chargeing thame to pas to the marcat croces of Striveling, Edinburgh, Linlythquow, Perth, Glasgow, and utheris places neidfull, and thair be oppin proclamatioun in his Hienes name and authoritie, command and charge all and sindry Erllis, Lordis, Baronis, and utheris his Hienes liegis writtin for be his Majestie, or that utherwayis sall repair to the said Burgh of Striveling during the tyme of the said Conventioun, that thay cum in peciabill and quiet maner, all face of hostilitie set apart, and that nane of thame tak upoun hand in thair cuming to the said burgh, remaning thairin or departing thairfra, to invade or persew utheris, or mak provocatioun of troubill and displeasour ane to ane uther, owther for auld feid or new, in word, deid, or countenance, under the pane of deid; certifeing thame and thai failye, the said pane salbe execute upoun thame with all rigour in exempill of utheris.

[Stirling Castle, 3d June.] Men of Perth.

The Kingis Majestie and Lordis of Secreit Counsale, understanding that in the lait seditioun and troubill quhilk happynnit within the Burgh of Perth, Johnne Peblis burges of the said burgh wes hurt and woundit in

perrell of his lyff; in respect quhairof, and for the eschewing of forder tumult and trouble within the same burgh,—the inhabitantis thairof and sum utheris dwelling ewest thairto drawing in factionis, and likly thairby to contene the said burgh in continewale uproare and seditioun,—Williame Lord Ruthven, Thesaurare to oure Soverane Lord and Provest of the said burgh, tuke ordour appointing certane of the personis authouris and partakaris of the said seditioun, to remane in ward within the Tolbuith of the said burgh, and utheris to abyde out of the same for a tyme; and lastly, that the principallis of ayther partie sould for thame selffis, and takand the burding upoun thame for thair kin, freindis, servandis, assistaris and partakaris, on na wayis sould invade or persew utheris utherwayis nor be ordour of law and justice, quhill the first day of August nix to cum, ilk partie under the pane of twa thowsand pundis; quhilk ordour the saidis partiis hes contempnandlie dissobeyit, albeit the same being considerit be his Hienes and his said Counsale, is found to have bene meit and convenient for stancheing of the seditious tumultis within the said burgh, and retening of the inhabitantis of the same in peace and quietnes. Thairfoir his Majestie, with avise of the Lordis of his Prevy Counsale, ordanis letters to be direct, chargeing Johnne Peblis and Oliver Peblis on the ane part, and Johnne Ross of Petcheifles, Maister Patrik Quhytlaw, Williame Hall baxter, and George Johnnestoune alias M^{c}Gregour skynnar, on the uther part, to find sufficient and responsall sureteis to the officiar executor of the saidis letters, ilk partie under the pane of twa thowsand pundis, that thay be thameselffis, thair kin, freindis, servandis, assistaris and partakaris, sall keip gude rewle and quietnes, and on na wayis invade or persew utheris utherwyis nor be ordour of law and justice quhill the first day of August nix to cum . . . xlviii houris nixt eftir thay be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; or ellis that thay within the samyn xlviii houris pas and enter thair personis in ward; that is to say, the saidis Johnne and Oliver Peblis within the Palice of Linlythquow, and the saidis James Ross, Maister Patrik Quhytlaw, Williame Hall and George Johnnestoun, within the Castell of Blaknes; thair to remane upoun thair awin expenssis, ay and quhill thay have fulfillit and obeyit the command of th . . . ordinance; the quhilkis xlviii houris being bipast, and the saidis personis . . . beyand and not findand the said souirtie, nor yit enterand thair personis in ward within the said Palice and Castell, the saidis xlviii being bipast, to denunce the dissobeyaris thaireftir oure Soverane Lordis rebellis and put thame to the horne, and to escheit, etc.

[Stirling Castle, 12th June.]

[*Sederunt*[1]—Rex, etc.

Earl of Mortoun sworn on the Privy Council, and ordained to have the first place therein.[2]]

[1] Printed in Acts of Parliament of Scotland, vol. iii. p. 120. [2] *Ibid.* p. 121.

Sederunt—Domini ut in die predicto. [Stirling Castle, 14th June.]

Ordanis the Parliament to be fensit and continewit.

The quhilk day, the Kingis Majestie, with avise of the Lordis of his Prevy Counsale and utheris of his Estaittis, for certane greit and wechtie caussis and considerationis moving thame, hes deliberat, concludit, and ordanit that his Hienes Parliament, proclamit to be haldin at Edinburgh upoun the tent day of Julii nixtocum, salbe thair fensit that day, and thairfra continewit to be haldin, and proceid at Striveling in his Hienes awin presens, upoun the xv day of the said moneth of Julii; and ordanis commissioun to be direct to this effect in dew forme as efferis.

Band for the Erll of Craufurd.

The quhilk day, in presens of the Kingis Majestie and Lordis of Secreit Counsale, comperit personalie David Lindesay of Edzell for himself, and as procuratour for the remanent personis underwrittin, and gaif in this band and obligatioun underwrittin, desyring the samyn to be actit and registrat in the bukis of Secreit Counsale, to have the strenth of ane Act and decreit of the Lordis thairof, and letters and executoriallis to be direct thairupoun in forme as efferis; quhais desire the saidis Lordis finding ressonabill, hes ordanit the said obligatioun to be insert in the saidis bukis, of the quhilk the tennour followis: Be it kend till all men be thir present letters, we, Patrik Lord Lindesay, James Maister of Lindesay, David Lindesay of Edzell, Adam Creichtoun youngar of Ruthvennis, Johnne Lindesay of Evelik, and Johnne Erskin sone and apperand air to Robert Erskin fear of Dun: That forsamekill as it hes plesit the Kingis Majestie, oure Soverane Lord, upoun certane ressonabill caussis and considerationis moving his Hienes, to permit David Erll of Craufurd to depart and pas hame to his hous of Cairny in Fyff; thairfoir to be bundin and obleist, and be the tennour heirof bindis and obleissis us, conjunctlie, every ane for our awin part, that the said David Erll of Craufurd being relevit furth of his present ward of the Castell of Edinburgh, quhair he now remanis, sall pas without delay to his said hous of Cairny in Fyff, and remane thairin and within sex mylis about the same, and on na wayis exceid or transcend the saidis boundis quhill he be fred and relevit be his Majestie; and als that the said Erll sall re-entir his persoun agane in ward within the said Castell of Edinburgh, quhen he salbe requirit thairto, on xv dayis warning; under the pane of twenty thowsand pundis. And I, the said David Erll of Craufurd, obleissis me, to freith, releif, and keip skaythles my saidis souirteis and their airis of the premissis, and of all pane and dangeare that thay sal happin to sustene thairthrow. Attour, we ar content and consentis, that this oure obligatioun be actit and registrat in the bukis of Secreit Counsale, to have the strenth of ane Act and decreit of the Lordis thairof; and that letters and executoriallis be direct thairupoun in forme as efferis. And for acting and registratioun of the same in the saidis bukis, hes maid, constitute, and ordanit and be the tennour, heirof makis constitutis and ordanis, David Lindesay of Edzell, etc., conjunctlie and

severalie, oure procuratouris in uberiori forma promittendo de rato. In witness of the quhilk thing, we have subscrivit thir presentis with our handis as followis, at Edinburgh, the last day of Maii, the yeir of God j^{m}v^{c}lxxviii yeris. Sic subscribitur: David Erll of Craufurd. Patrik L. Lyndsay. D. Lindsay of Edzell. James Lindsay. Johnne Erskyne. Johnne Lindsay of Evelike. Adam Creichtoun fear of Ruthvennis.

[Stirling, 15th June.]

Sederunt—Ut in die predicto.

Charge to repair to Parliament in peciabill maner.

The Kingis Majestie, with avise of the Lordis of his Prevy Counsale and utheris of his Estaittis presentlie convenit, having deliberat that his Hienes Parliament proclamit to be haldin at Edinburgh, upoun the tent day of Julii nix to cum, salbe thair fensit that day, and thairfra continewit to be haldin and proceid at Striveling in his Hienes awin presens, upoun the xv day of the said moneth of Julii; seing the wechtie materis concerning the glory of God, his Hienes and his Estate and commoun weill of his realme ar thairin to be treatit, findis it expedient that all nobill men and utheris of the Estate reparing to the said Parliament sall cum in quiet and peciabill maner, quhairthrow thay may proceid in the wechty caussis, quhairupoun thay sall treate the mair frelie and ordourlie, all armes and face of hostilitie being removed and led. . . . And for the eschewing of all doubt and confusioun quhilkis may arryise heirupoun, and that all his Hienes Nobilitie and Estaittis may the bettir understand . . . cumpany and nowmer to repair to the said Parliament; ordanis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of Edinburgh, Striveling, Perth, Glasgow, and utheris places neidfull, and thair be oppin proclamatioun, in his Hienes name and authoritie, to command and charge all and sindry Erllis, Lordis, Bischoppis, Abbottis, and Pryouris havand vote in Parliament . . . and requirit be his Hienes preceptis and letters to be present at the same Parliament, that . . . repair to Striveling agane the said xv day of Julii in peciabill maner without . . . and especialie hagbuttis, daggis, pistolettis, or sic uther ingynis of fyre werk . . . to be worne or schot be his Hienes lawis and Actis of Parliament, and that every . . . cum and remane with xxiiii personis onelie in thair cumpany or dependance, and every Lord with sextene personis or within, and the commissaris of burrowis in thair ordinar and accustumat maner, without all convocatioun of thair nychtbouris, bot onelie . . . persoun or personis contenit in the commissioun with thair necessar servandis, and that all utheris personis not being of the appointit nowmeris and cumpany of the saidis Estaittis presume to convocat thame selffis, or repair to the said burgh of Striveling during the tyme of the said Parliament, and quhill the finall end and dissolutioun thairof, without knawlege of his Hienes mynd and pleasour thairanent, and his Majesteis licence had to that effect, under the pane of incurring of his Majesteis heich displeasour and indignatioun; certefeing thame that dois in the contrair, reparing to the said burgh of Striveling with greittar nowmeris

and convocatioun nor is afoir appointit, or that cumis armed, or bearing or having in thair cumpany armour and specialie hagbuttis, daggis, pistolettis, and sic uther ingynis of fyre werk, thay salbe repute, estemit, persewit, and puneist as the disturbaris of the publict peace and his Hienes obedience, innemeis and unnaturall subjectis to his Majestie and the commoun weill and quietnes of this thair native cuntre.

Sederunt—Rex. Jacobus Comes de Mortoun Dominus de Dalkeyth. Joannes Comes de Atholl Dominus de Balvany Cancellarius. Archibaldus Comes de Angus Dominus Douglas et Abirnethy. Archibaldus Comes Ergadie Dominus Campbell et Lorne. Joannes Comes de Montrois Dominus Grahame. Joannes Comes de Mar Dominus Erskin. Willelmus Comes de Glencarne Dominus Kilmawris. Hugo Comes de Eglintoun Dominus Montgomery. Georgius Comes de Caithnes. Robertus Episcopus Cathanensis. Willelmus Dominus Ruthven Thesaurarius. Patricius Dominus Lindesay de Byris. Jacobus Dominus de Innermeyth. Robertus Commendatarius de Deir. David Commendatarius de Dryburgh. Adam Commendatarius de Cambuskynneth. Magister Georgius Buchannane Custos Secreti Sigilli. Willelmus Murray de Tulibardin miles Computorum Rotulator. [Stirling Castle, 17th June.]

Secretare directit to England.

The quhilk day, the Kingis Majestie exponit unto his Prevy Counsale the necessary occasionis craving that ane Ambassadour sould be directit frome his Hienes unto his gude suster the Quene of England, as his Hienes had of lang tyme heirtofoir promesit, speciallie to gif his thankes for hir favour and gude will schawin unto him in his youngar aige; to confirme and renew the peace and amytie standing betuix the realmis; to declair the gude justice ressavit of the Englis Wardanis of the Eist and West Marches, and of sum difficultie and troubill at the Middill Marche; to schaw his Majestie and Counsalis gude mynd to se the Englishe subjectis complenyng redressit and satisfiit be justice, and to crave sum spedy and resolute gude end in the materis persewit be Adam Fullartoun and utheris Scottismen; to crave the Kingis Majesteis rycht of successioun to be observit to him in the landis within England quhilkis appertenit to my Lord and Lady Levenax, his guidsire and guidame, alsua to inquire the estate of hir latter will and testament, and to se quhat is dew and competent to his Hienes in that behalf; gif it salbe requirit,—to condiscend to entir in further amytie and league for mutuale defence, in cais of forayne invasioun, in respect of the malice borne aganis bayth the Princes and cuntreis, or for the repressing of domesticall seditioun and rebellioun within ayther of the realmis for religious caus,—to indure sa lang as bayth the Princes levis. Quhilkis caussis being fund wechtie and of greit consequence, and meit quhairupoun to instruct and direct ane Ambassadour, his Majestie nominat and maid chois of his trusty and weilbelovit coun-

salour Robert Commendatare of Dumfermling, his Hienes principall Secretare, in respect of his abiltie and experience to deale in the saidis materis; to the quhilk nominatioun, commissioun, and instructionis his Hienes said Counsale condiscendit and accordit; providing that in his instructionis tuicheing the said further league and amytie for mutuale defence he sall onelie confer and treate, remitting the conclusioun thairof upoun the report and procedingis to be returnit to his Majestie and his Estaittis.

Protestatioun maid by the Lordis.

The quhilk day, Coline Erll of Ergyle, Johne Erll of Montrois, George Erll of Caithnes, Patrik Lord Lindesay, James Lord Innermeyth, and Robert Commendatare of Deir, protestit, that thay dissassentit that any commissioun or instructionis sould be gevin to treate or deale in the said mater of forder league and amytie for mutuale defence; and that na thing sould be done thairin bot be the thre estatts first convenit.

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[1] An account of the nature and object of this Index will be found in the Introduction.

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Broun of Cultermanis, John—surety, . .	June 27, 1572.
Broun of Fordel, John—surety, . .	Oct. 31, 1573.
Broun, Archibald, burgess of Forres—surety for,	Aug. 19 and 20, 1573.

Name and Conditions.	Date in Register.
Broun, James, in Orkney—at the horn, .	Dec. 20, 1576.
Broun, James, burgess of Edinburgh—trafficking in silver and gold, . . .	March 7, 1574. March 30, 1575.
Broun, John, in Haymouth—protection to, .	Nov. 29, 1576.
Broun, John, in Leith—surety, . .	May 13, 1572.
Broun, Thomas, burgess of Edinburgh—surety,	June 29, 1576.
Bruce of Airth, Alexander—surety, . .	March 31, 1572.
Bruce of Bynning, Robert—allegiance, .	May 6, 1572.
Bruce of Clackmanan, Robert—becomes surety, .	Oct. 10, 1577.
Bruce of Clackmanan, Robert—becomes surety, .	Oct. 18, 1577.
Bruce of Cultemalindeis, Laurence—surety for, .	Nov. 1, 1576.
Bruce of Cultemalindeis, Laurence—to deliver the ship "Mynioun,"	Nov. 20, 1577.
Bruce of Easter Kennet, Robert—caution for, .	Jan. 18, 1575.
Bruce of Fowlis, Archibald—lawburrows, .	Jan. 18, 1575.
Bruce of Petlethe, Robert—becomes surety, .	Nov. 20, 1577.
Bruce, Alexander, burgess of Edinburgh—surety in relief,	Nov. 1, 1576.
Bruce, Andrew—surety for, . . .	June 25, 1573.
Bruce, George, son of David Bruce of Kinnaird—surety for, ...	June 25, 1573.
Bruce, Thomas, burgess of Edinburgh—surety, .	April 2, 1575.
Bruce, Walter, in Orkney—at the horn, .	Dec. 20, 1576.
Buchanan of Drumnakill, Walter—to enter Walter Drummond in ward, . . .	Feb. 2, 1576.
Buchanan of that Ilk, George—becomes surety, .	June 24, and Aug. 8, 1577.
Buge, Henry, in Orkney—at the horn, .	Dec. 20, 1576.
Burne, Patrick, in the Hill—surety, . .	May 6, 1572.
Burne, Patrick—professes his allegiance, .	May 6, 1572.
Burnfield of Eastfield, Alexander—surety for Borderers,	May 1, 1577.
Burnfield of Gordonmains, Alexander—surety for Borderers, ...	May 1, 1577.
Burnfield of Greenlawdene—finds surety to remain in ward, ...	Oct. 24, 1576.
Burnfield of Hardakers, Adam—surety for Englishmen,	May 13, 1575.
Burnfield of Hardakers, Adam—finds surety to remain in ward, ...	Oct. 24, 1576.
Burnfield of Hardakaris, Adam—surety for Borderers,	May 1, 1577.
Burnfield of Merksworth, Andrew—gives bond for the whole branch of Burnfields, . .	May 1, 1577.
Burnfield of Merksworth, Ninian—surety for Borderers,	May 1, 1577.
Burnfield of Nethermains, Adam—surety for, .	Oct. 8, 1576.
Burnfield of Nethermains, Alexander—finds surety not to molest Haitlies, ...	Oct. 18, 1576.
Burnfield of Todrig, Robert—surety for Borderers,	May 1, 1577.

Name and Conditions.	Date in Register.
Burnfield of Whitehouse—finds caution to remain in ward,	Oct. 24, 1576.
Burnfield of Whitehouse, James—surety for Borderers of his name,	May 1, 1577.
Burnfield, Alexander—surety found for,	Sept. 12, 1577.
Burnfields, certain, denounced,	May 31, 1577.
Caissen, John and Thomas—denounced,	May 6, 1573.
Caithness, George Earl of—surety,	July 31, 1574.
Caithness, William, in Mure of Awford—protection to,	Sept. 2, 1574.
Cambuskenneth, Commendator of—becomes surety,	March 29, 1578.
Cameron, Allister Dow M^{c}Allum V^{c}Ewin—in ward in Edinburgh,	March 1, 1576.
Campbell of Ardkinglas, James—becomes surety,	June 24, 1577. March 29, 1578.
Campbell of Cadell, John—becomes surety,	May 21, 1575. March 1, 1576.
Campbell of Cadell, John—surety for Highlanders in ward,	March 1, 1576.
Campbell of Cesnock, William, tutor—surety,	Oct. 7, 1575. Feb. 13, 1576.
Campbell of Cesnock, William, tutor—becomes surety,	Feb. 13, 1576.
Campbell of Dynnoven, George—surety for,	June 25, 1573.
Campbell of Loudon, Hew, younger—caution for,	May 3, 1576.
Campbell of Loudoun, Sir Matthew—ordained to ward himself in Blackness,	Nov. 19, 1577.
Campbell of Loudon, Matthew, Sheriff of Ayr—caution for,	Oct. 7, 1575.
Campbell of Loudon, Sir Matthew, Sheriff of Ayr—protection to,	March 28, 1576.
Campbell of Loudon, Sir Matthew—surety,	May 15, 1576.
Campbell of Shankston, John—surety,	May 3, 1576.
Campbell of Terringyen, Hew, son of Campbell of Loudon—surety,	May 15, 1576.
Cant of Gillegrange, Thomas—cautioner,	Dec. 6, 1574.
Carlisle of Brydekirk, Adam—entry of,	Nov. 28, 1575.
Carlisle, Michael, son of Lord Carlisle—entry of,	June 4, Nov. 28, and Feb. 21, 1575.
Carlisle, Michael—in ward,	Jan. 11 and 17, 1575.
Carmichael of Balmady, David—put to the horn,	June 10, 1575.
Carmichael of that Ilk, John, elder—pledge and surety,	June 27, 1572.
Carmichael of that Ilk, John, younger—obligation by, of relief to surety,	March 18, 1576.

Name and Conditions.	Date in Register.
Carmichael of Medoflat, John—becomes surety,	March 23, 1576.
Carruthers of Holmendis, John—surety for, .	Aug. 18, 1573.
Carwood, John, called the Sergeant—becomes surety,	Oct. 13, 1573.
Cassillis, Gilbert Earl of—lawburrows for Kennedy of Bargany, ...	March 22, 1574.
Cathcart, Allan Lord—becomes surety, .	Oct. 13, 1573. March 23, 1574.
Cavers, Thom, Hawick—entry of, . .	Feb. 4, 1574.
Chalmer of Drumlochy, William—obligation of relief,	Nov. 5, 1576.
Chalmer of Gaitgirth, James—protection to, .	Oct. 7, 1575. May 3 and 15, 1576.
Chalmer of Gaitgirth, James—to conform to the General Band, ...	March 28, 1576.
Chalmer, Robert, Bailie of Ayr—surety for, .	Oct. 13, 1573.
Charteris of Amisfield, John—surety, . .	Nov. 28, 1575.
Charteris of Kelwood, Robert—surety, .	Nov. 28, Jan. 11 and 17, Feb. 21, 1575
Chisholm of Cromlix, James—surety for Gordon of Auchindoun, ...	July 18, 1576.
Chisholm, of that Ilk, Walter—warding of,	Feb. 26, 1571.
Chisholm, Mr. Michael, burgess of Edinburgh—surety,	Feb. 26, 1571.
Cleland of that Ilk, William—pledge and surety,	June 27, 1572.
Cleland of Knowhobbilhill, Arthur—to underly the law, ...	June 27, 1572.
Clerk, John, in the Fluris—protection to, .	Feb. 25, 1575.
Cockburne of Ormiston, John—surety, .	Feb. 15, 1571. July 26, 1575. Sept. 21, 1577.
Cockburn of Ormiston, John,—warding with, .	Feb. 22, 1571.
Cockburn of Ormiston, John—surety to enter an Elliot,	Aug. 18, 1573.
Cockburn of Ormiston, John,—surety for the Bishop of Dunkeld warding	June 30, 1577.
Cockburn of Ormiston, John—surety for Elliot of Braidley, ...	Feb. 18, 1576. Nov 9, 1577.
Cockburn of Reidhall, Thomas—becomes surety,	Nov. 9, 1577.
Cockburne of Scraling, Sir James—surety, .	June 27, 1572.
Cockburn, William—importing silver, . .	March 26, 1575.
Coldingham, Alexander Commendator of—surety,	Nov. 29, 1576.
Colquhoun of Luss, Sir John—pledge and surety,	June 27, 1572.
Cook (Cuke), Alexander, bound to present Tormont M^{c}Leod, ...	Jan. 21, 1576-7.
Cornwell of Ballinhard, Nichol—surety, .	May 6, 1572.
Cornwell of Ballinhard, Nicol, younger—becomes surety,	June 24, 1577.

Name and Conditions.	Date in Register.
Corry of Kelwod, George—lawburrows in his favour,	March 22, 1574.
Corry of Kellwood, George—becomes surety, .	May 1, 1572. March 2, 1576.
Cossar, John, burgess in Edinburgh—becomes surety,	Aug. 19 and 20, and Oct. 26, 1573.
Cowan, Andrew, burgess of Stirling—lawburrows to,	Jan. 19, 1575.
Cowart, Robert—surety for entry of, . .	Dec. 4, 1577.
Cragy, Oliver—surety for entry of, . .	Dec. 4, 1577.
Craig, Margaret—complaint by, . .	Oct. 26, 1573.
Craig, Robert, burgess of Edinburgh—pledge, .	May 6, 1572.
Craig, Mr. Thomas, tutor to Johnstone of Kellobanks—complaint by, . . .	Oct. 26, 1573.
Crail—caution for the men of, . .	Oct. 15, 1575.
Cranston, Patrick and William—denounced, .	May 6, 1573.
Crawford of Cumlarg, John, and Quintin his brother—lawburrows to, ...	March 22, 1574.
Crawford of Cumlarg, John—discharged of his caution, ...	May 3, 1576.
Crawford of Lefnoreis, George—caution for relief of,	Feb. 15, 1573.
Crawford of Lefnoris, William, younger—caution for,	May 3, 1576.
Crawford of the Schaw, John—caution for his conduct,	May 6, 1576.
Crawford, James, in Keipbyres—surety, .	June 27, 1572.
Crawford, James—surety for, . .	June 25, 1573.
Crawford, John, in Kynneil—surety for, .	May 6, 1572.
Crawford, John, Bailie of Monkland—intercommuning with rebels, ...	June 27, 1572.
Creich, Mr. Patrick—surety, . . .	May 22, 1572.
Crichton of Canmay, John—becomes surety, .	Jan. 23, 1577-8.
Crichton of Lugton, Patrick—surety, . .	Feb. 26, 1571. July 7, 1572.
Crichton of Ruthven, Adam, fiar—surety, .	May 5, 1575.
Crichton of Ruthvens, John—re-entry of, .	May 5, 1575.
Crichton of Sanquhar, William, tutor—protection against, ...	March 23, 1576.
Crosar of Edderstonsheills, Ade—relief at the hands of,	Feb. 26, 1571.
Cuby, Alexander—surety, . . .	Aug. 17, 1573.
Cuming of Cowtie, John—surety, . .	July 21, 1572.
Cuninghame of Bonytoun, John—surety, .	June 27, 1572.
Cuningham of Caprington, William—becomes surety,	June 27, 1572. Oct. 5, and March 3, 1575. March 2, 1576.
Cuningham of Caprington, William—quarrel with Wallace of Craigy, ...	Feb. 27, 1575.
Cuningham of Cuninghamhead, John—becomes surety,	Feb. 19, 1576.

Name and Conditions.	Date in Register.
Cuningham of Cuninghamhead, William—relieved of caution,	Feb. 27, 1571.
Cuningham of Cuninghamhead, William—surety,	June 27, 1572.
Cuningham of Drumquhassil, John—surety for Ross of Balnagown,	May 25, 1577.
Cuningham of Drumquhassil, John—freed of his caution,	March 29, 1578.
Cuningham of Drumquhassel, John—surety for Walter Lekie of that Ilk,	July 3, and Aug. 8, 1577.
Cuningham of Drumquhassel, John—becomes surety,	Feb. 19, 1576. May 25, and Aug. 8, 1577.
Cuningham of Drumquhassel, John—becomes surety,	Aug. 9, 1577.
Cuningham of Drumquhassel, John—surety for John Lindsay going abroad,	May 23, 1577.
Cuningham of Glengarnock, John—becomes a principal surety,	March 2, 1576.
Cuningham of Glengarnock, John—protection to,	Feb. 19, 1576.
Cuningham of Glengarnock, William, younger—to enter Barty Quhyte,	March 13, 1572.
Cuninghame of Poquharne, William—re-entry of,	Dec. 25, 1576.
Cuningham of Waterston, Hew—becomes surety,	Feb. 19, 1576.
Curry, Andrew, in Gallowlaw—to be skaithless of M'Dowell of Makerston,	Feb. 25, 1575.
Dalkeith, Bailies of Regality of,	Oct. 26, 1573.
Dalmahoy, John, in Leith—surety,	May 22, 1572.
Dalrymple of Stair, James—surety,	March 17, 1573.
Dalrymple of Stair, James—relieved of caution,	Nov. 28, 1575.
Dalrymple, John—denounced at the horn,	Nov. 19, 1577.
Dalrymple, William—denounced at the horn,	Nov. 19, 1577.
Dalzell of that Ilk, Robert—surety,	June 27, 1572.
Dalzell of Kype, Alexander—to underly the law,	June 27, 1572.
Davidson of Birnyrig, James—pledge,	Feb. 15, 1571.
Davidson of Birnyrig, James—warding of,	Feb. 22, 1571.
Davidson of Birnyrig, James—entry of,	Feb. 22, 1571.
Davidson of Symeston, Robert—to compear,	March 6, 1571.
Davidson of Symeston, Robert—protection to,	Dec. 7, 1576.
Davidson, David, in the Bank—submits to the Regent,	Nov. 17, 1577.
Davidson, Mr. John—caution for,	Jan. 29, 1573.
Davidson, John, in Hoilfield—surety for,	June 4, 1575.
Davidson, Robert—to enter Pyle in Milnheuch,	Feb. 15, 1571.
Davidson, Thomas, "ypothecar," Edinburgh—surety,	July 10, 1574.
Dawson, James, skipper, Leith—surety,	April 4, 1572.
Denys, Allan, Hawick—pledge,	Feb. 22, 1571. Feb. 4, 1574.

Name and Conditions.	Date in Register.
Dickson, Walter—surety for, . . .	July 10, 1574.
Dikkeson of Winkiston, John, younger—surety,	May 22, 1572.
Dod, William, merchant in Chester—recovering debt in Scotland, ...	Sept. 24, 1577.
Douglas of Bonjedburgh, George, younger—becomes surety, ...	Nov. 16, 1577.
Douglas of Bonjedburgh, George, younger—surety for Gavin Elliot, ...	Sept. 26, 1576.
Douglas of Bonjedburgh, George, younger—surety for persons tendering allegiance, . .	Nov. 17, 1577.
Douglas of Bonjedburgh, George, younger—surety,	Feb. 16, 1571.
Douglas of Bonjedburgh, George, younger—surety for Englishmen, ...	June 4, 1575.
Douglas of Cavers, William—becomes surety, .	Feb. 18, 1576.
Douglas of Cavers, William—warding of .	Feb. 22, 1571.
Douglas of Drumlanrig, James—surety in relief,	Nov. 28, 1575.
Douglas of Lochleven, William—becomes surety,	Jan. 26, 1576.
Douglas of Manys, Malcolm—becomes surety, .	Jan. 1, 1576.
Douglas of Mylntoun, Archibald, captain of Edinburgh Castle—cautioner in relief, . .	May 6, 1576.
Douglas of Stanypeth, James—surety, .	Feb. 22, 1574.
Douglas of Todhillis, James—surety, . .	June 27, 1572.
Douglas of Whittinghame, William—professes allegiance, ...	March 14, 1571.
Douglas of Whittinghame, William—surety in relief,	Feb. 15, 1573.
Douglas, Robert, Provost of Lincluden—surety, .	March 12, 1575.
Drummond of Carnock, Patrick, younger—surety for protection of, ...	Jan. 26, 1576.
Drummond of Carnock, Robert—becomes surety,	June 25, 1573. March 29, 1578.
Drummond of Medop, Alexander—surety for Gordon of Gicht, ...	Oct. 26, 1576.
Drummond of Medop, Alexander—surety, .	Dec. 6, 1574.
Drummond, Charles, Provost of Linlithgow—surety,	May 6, 1572.
Drummond, John, *alias* John Craighouse—slaughter of,	Feb. 2, 1576.
Drummond, Walter, in Lattergreen—in ward for the slaughter of his brother, . .	Feb. 2, 1576.
Drummond, Walter, in Lattergreen—presented at the instance of Lord Drummond, . .	Feb.2, 1576.
Drummond, Patrick Lord—presents Walter Drummond, ...	Feb. 2, 1576.
Dryburgh, David Commendator of—becomes surety,	March 29, 1578.
Duff of Torrefowill, Alexander, released—caution for,	Dec. 6, 1574.
Duff, David, Leith—surety, . . .	March 31, 1572.
Dun, Andrew, Chapman, released—caution for re-entry,	Dec. 25, 1575.

Name and Conditions.	Date in Register.
Dunbar of Barmure, John—surety, . .	June 27, 1572.
Dunbar of Blantyre, William—surety for Sheriff of Ayr,	Oct 7, 1575. May 3, 1576.
Dunbar of Blantyre, William—surety for Hamilton of Sanquhar, ...	Feb. 13, 1576.
Dunbar of Cumnock, Patrick, fiar—becomes surety,	Aug. 18, 1573.
Dunbar of Cumnok, Patrick, fiar—surety for the Sheriff of Moray, ...	May 21, 1575.
Dunbar of Cumnok, Sir Alexander, Sheriff of Moray—caution for, ...	May 21, 1575.
Dunbar of Kilboyack, Alexander—caution for him,	Oct. 31, 1573.
Dunbar of Kilboyack, Alexander—lawburrows against violence from, ...	Oct. 19, 1576.
Dunbar of Mochrum, Sir John—suit for relief at hands of Englishman, ...	Oct. 30, 1577.
Dunbar, Alexander, Dean of Moray, Senator of the College of Justice—protection to, .	Oct 31, 1573.
Duncan, John—trafficking in gold and silver, .	March 4, 1574, March 27,1575.
Dundas, David—obligation to present, . .	April 30, 1577.
Dunfermline, Robert Commendator of—surety,	Jan. 29, 1573.
Dunkeld, Bishop of—security for his warding, .	June 30, 1577.
Dysart, salt collector at Pans of, . .	March 31, 1575.
Edinburgh, Magistrates of—compearance before,	May 13, 1572.
Edinburgh, certain burgesses of—re-entry of, in ward,	Sept. 17, 1575.
Edmonstone of that Ilk, Sir John—surety, .	Aug. 20, 1574.
Edmonstone of that Ilk, John—protest for, .	Sept. 20, 1574.
Edmonston of that Ilk, John—keeps James Temple,	March 2, 1575.
Eglinton, Earl of—undertakes surety, . .	Aug. 8, 1577.
Elliot of Braidley, Martin—pledge for the Niksons,	Aug. 18, 1573.
Elliot of Braidley, Martin—surety, . .	Jan. 27, 1574.
Elliot of Braidley, Martin—re-entry of, in ward,	Nov. 29, 1577.
Elliot of Braidley, Martin—ward changed from Blackness to St. Andrews, . . .	Feb. 18, 1576.
Elliot of Braidley, Robert—surety for the son of,	Aug. 18, 1573.
Elliot of Falinesh, Gavin—to enter in ward in St. Andrews, ...	Aug. 18, 1573.
Elliot of Gorumberry, William—to enter in ward in St. Andrews, ...	Aug. 18, 1573.
Elliot of Horslihill, Gawin—complaint by, .	Nov. 24, 1573.
Elliot of the Heuchouse, John—surety for, .	Aug. 18, 1573.
Elliot of the Park, James—surety for, .	Aug. 18, 1573.
Elliot of the Park, John—surety for, . .	Aug. 18, 1573.

Name and Conditions.	Date in Register.
Elliot of Reidheuch, Robert—surety,	Jan. 27, 1574.
Elliot, Ade (of the "Schawis")—entry of,	Jan. 27, 1574.
Elliot, Gavin, in Swinteis—surety found not to molest,	Sept. 17 and 26, 1576.
Elliot, Gawin, in Newbigging—surety,	Jan. 27, 1574.
Elliot, Hob—entry of,	Aug. 18, 1573.
Elliot, Hob, son of James of the Park—pledge,	Aug. 18, 1573.
Elliot, Hob, son of Dand of Braidley—to remain in ward,	Jan. 27, 1574.
Elliot, Robert, Borderer—surety for,	Aug. 18, 1573.
Elliot, Sym, in Dodburn—to enter in ward in St. Andrews,	Aug. 18, 1573.
Elliot, son of Elder Will—surety for,	Aug. 8, 1577.
Elphinstone, William—caution for,	April 12, 1576.
Elphinstone, William—in ward in Linlithgow,	June 12, 1577.
Elphinstone of Shank, Mr. Nicolas—surety,	July 16, 1574.
Elphinstone, Alexander Master of—to account for intromission,	March 31, 1572.
Elphinstone, Alexander Master of—surety for Gordon of Auchindoun,	July 18, 1576.
Elphinstone, Alexander Master of—surety for Gordon of Gicht,	Oct. 26, 1576.
English, James, tailor, Edinburgh—builds shops on another's grounds,	Dec. 12, 1571.
Errole, Andrew Earl of—protestation for,	May 2, 1575.
Errole, Andrew Earl of—not to stop a perambulation,	Aug. 7, 1575.
Erskine of Gogar, Alexander—surety,	March 29, 1578.
Ewart, Adam, Englishman—in ward,	May 13, 1575.
Ewart, Adam, Englishman—caution for his entry,	June 4, 1575.
Ewin, James, burgess of Aberdeen—not to traffic in false money,	Dec. 28 and Jan. 11, 1574.
Fairservice, James—witness,	July 28, 1574.
Farquhar, John, burgess of Edinburgh—surety,	Dec. 25, 1575.
Farquharson, Donald and Robert—charged for not appearing,	Oct. 24, 1573.
Fawside of that Ilk, Thomas—surety,	March 15, 1571.
Ferguson, John, burgess in Edinburgh—surety for conduct of merchants in Chester,	Sept. 24, 1577.
Fettir, Gilbert, in Orkney—at the horn,	Dec. 20, 1576.
Fiddes, Richard, in Priestsfield—surety for,	July 9, 1574.
Fleming, Lady—to pay the rent of Cumernauld,	Feb. 2, 1576.
Fleming, Widow of Lord—finds surety to pay the rent of Boghall,	Oct. 26, 1577.
Fokart, Jonet—act in her favour,	Feb. 28, 1574.

Name and Conditions.	Date in Register.
Forbes of Auchintoul, Alexander—lawburrows for,	Sept. 2, 1574.
Forbes of Balfour, Arthur—act to his relict,	March 31, 1572.
Forbes of Brux, John—making faith before,	March 31, 1572.
Forbes, David—surety for entry of,	Dec. 4, 1577.
Forbes, John Master of—surety,	Oct. 31, 1573.
Forest, John, burgess of Linlithgow—allegiance,	May 6, 1572.
Forester of Garden, Alexander—defender in an action,	March 21, 1572.
Forsythe of Dykis, David—surety	June 27, 1572.
Fowlar, William, burgess of Edinburgh—act to his bairns,	Feb. 28, 1574.
Fowlis of Brumyside, Thomas—surety for,	June 27, 1572.
Fownis, Nicoll, released—re-entry,	June 29, 1576.
French, Robert, minister at Eccles—becomes surety,	Sept. 12, 1577.
Futhie, James, released—caution for,	Nov. 16, 1575.
Galbraith, John—surety for,	Feb. 16, 1576.
Geddes of Rauchane, Charles, and James Geddes—protection to,	Dec. 6 and 7, 1574.
Geddes of Rawchane, Charles, and James Geddes—protection against,	March 11, 1574.
Gibson, John, in Crawfordmure—caution for,	May 2, 1575.
Gibson, John, in Orkney—at the horn,	Dec. 20, 1576.
Glammis, John Lord—surety in relief,	May 2, 1572.
Glammis, John Lord—surety to present an Armstrong,	Aug. 18, 1573.
Gledstanis of Coklaw, James—surety in relief,	Feb. 26, 1571. Feb. 4, 1574.
Gledstanis of Coklaw, James—warding of,	Feb. 22, 1571.
Gledstanis of Cocklaw, James—becomes surety,	Sep. 17, 1576.
Gledstanis of Cocklaw, William—becomes surety,	Feb. 18, 1576.
Glencairn, James Master of—surety for protection of,	Feb. 19 and March 2, 1576.
Glencairn, William Earl of—surety for protection of,	Feb. 19 and March 2, 1576.
Glendoning of Drumrash, John—obligation by,	June 4, 1575.
Goodlet of Strabrok, John—allegiance,	May 6, 1572.
Gordon of Auchindoun, Adam—in ward,	July 18, 1576.
Gordon of Carnburrow, John, younger—making faith before,	March 31, 1572.
Gordon of Gicht, George—finds surety to re-enter Linlithgow,	Oct. 26, 1576.
Gordon of Gicht, George—surety for entry and good conduct,	Nov. 5, 1576.
Gordon, Thomas, Forres—surety for,	Oct. 26, 1573.
Gordon, William, burgess of Kirkcudbright—in ward,	Jan. 9, 1575.
Gordon, William, in Orkney—at the horn for slaughter,	Dec. 20, 1576.

Name and Conditions.	Date in Register.
Grahame of Fintry, David, younger—to compear,	May 23, 1573.
Grahame of Knokdolian, Robert—becomes surety,	Feb. 23, 1576.
Grahame, Andrew, son of Prior's John—entry of,	Oct. 8, 1577.
Grahame, Arthur, in Blawatwood—protection to,	March 12, 1575.
Grahame, Arthur, in Blawatwood—caution for him,	May 5, 1576.
Grahame, John, son of Prior's John in Cannoby—surety for,	Aug. 18, 1573.
Granger, Arthur, burgess of Edinburgh—becomes pledge,	May 6, 1572.
Grant, Lady, relict of Forbes of Balfour—act in favour of,	March 31, 1572.
Gray, James, burgess in Dundee—becomes surety,	Jan. 23, 1577.
Gray, John, soldier from Flanders—surety for,	Oct. 13, 1573.
Greneschеillis of that Ilk, William—not to intercommune with rebels,	June 27, 1572.
Grierson of Lagg, Roger—becomes surety,	Aug. 29, 1577.
Hacket of Pitferran, George—surety in relief,	April 2, 1575.
Hacket, John, Bailie of Kirkcaldy—denounced,	May 21, 1577.
Haitlie of Lambden, Alexander,—surety given for protection of his family,	Oct. 18, 1576.
Haitlie, Alexander—surety for protection of,	Oct. 8, 1576.
Halcro of Burgh, Magnus—becomes surety,	July 4, 1577.
Haliburton of Merton, Henry—cautioner in relief,	Feb. 21, 1571.
Haliburton of Merton, Henry—in ward,	Feb. 22, 1571.
Haliburton of Merton, Henry—released,	Feb. 26, 1571.
Hall of Foulbar, Adam—becomes surety,	Oct. 8, 1576.
Hall of the Sykis, Andrew—surety,	Feb. 15, 1571.
Hall of the Sykis, Andrew—entry of,	Feb. 22, 1571.
Hall of the Sykis, Andrew—to enter Ker of Bludelawis,	Feb. 22, 1571.
Hall of the Sykes, Andrew—submits to the Regent,	Nov. 17, 1577.
Hall, Andrew, in Newbigging—entry of,	Feb. 22, 1571.
Hall, Andrew—surety found for his warding in Edinburgh,	Nov. 16, 1577.
Hall, John, in Newbigging—entry of,	Feb. 22, 1571.
Hall, Jok, brother of Andrew of the Sykes—surety for,	Nov. 17, 1577.
Hall, Patrick, burgess of Edinburgh—trafficking in gold and silver,	March 4, 1574. March 22, 1575.
Hall, Thomas, in Preston,	March 31, 1575.
Hall, Walter—surety,	March 15, 1571. Aug. 17, 1573.
Hamilton of Ardry, Gawin—intercommuning,	June 27, 1572.
Hamilton of Cathkin, Robert—surety,	June 27, 1572.
Hamilton of Cathkin, Robert—intercommuning,	June 27, 1572.
Hamilton of Cochno, Claud—surety,	Oct. 26, 1574.
Hamilton of Crawfordjohn, Sir James—surety,	June 27, 1572. Feb. 27, 1575.

Name and Conditions.	Date in Register.
Hamilton of Dalserf, Robert—to satisfy the Regent,	June 27, 1572.
Hamilton of Haggis, James—surety,	June 27, 1572.
Hamilton of Haggis, James—intercommuning,	June 27, 1572.
Hamilton of the Hill, Gawin—intercommuning,	June 27, 1572.
Hamilton of Inchemauchane, Robert—entry of,	May 6, 1572.
Hamilton of Kincavil, James—obligation to enter his brother,	April 30, 1577.
Hamilton of Liberton, James—surety,	Feb. 27, 1575.
Hamilton of the Ness, Arthur—allegiance,	May 6, 1572.
Hamilton of Nether Milne, James—allegiance,	May 6, 1572.
Hamilton of Newhouse, Robert—to underly the law,	June 27, 1572.
Hamilton of Orbiston, James—becomes surety,	Feb. 16, 1576.
Hamilton of Parkheid, Arthur—intercommuning,	June 27, 1572.
Hamilton of Pedderisburne, John, with John and Thomas his sons—to underly the law,	June 27, 1572.
Hamilton of Philpston, Mathew—allegiance,	May 6, 1572.
Hamilton of Preston, George, younger—intercommuning,	June 27, 1572.
Hamilton of Samuelstoun, James—becomes surety,	Nov. 19, 1577.
Hamilton of Samuelston, James—surety,	Dec. 11, 1574.
Hamilton of Sanquhar, William—surety,	May 6, 1576.
Hamilton of Sanquhar, William—entry of,	Feb. 13, 1576.
Hamilton of Singalton, Sir David—allegiance,	March 15, 1571.
Hamilton of Stanehous, John—sureties for,	June 27, 1572.
Hamilton of Wodhall, James—to underly the law,	June 27, 1572.
Hamilton, Alexander, son of Hamilton of Parkley—obligation to present,	April 30, 1577.
Hamilton, Alexander and George, Bathgate—entry of,	May 6, 1572.
Hamilton, Alexander—caution for, while abroad,	Dec. 11, 1574.
Hamilton, Archibald, Captain of Brodic Castle—surety for,	Feb. 16, 1576.
Hamilton, Gavin, parson of Kilbride—surety for,	Feb. 16, 1576.
Hamilton, George, Preston—surety,	Dec. 11, 1574.
Hamilton, James, son of Hamilton of Briggs—allegiance,	May 6, 1572.
Hamilton, James, in Litter—surety for,	Feb. 16, 1576.
Hamilton, Janet, relict of Hamilton of Orbiston—surety for,	June 27, 1572.
Hamilton, John—obligation by his brother to enter him,	April 30, 1577.
Hamilton, John, in Corre—surety for,	Feb. 16, 1576.
Hamilton, John, burgess of Edinburgh—becomes surety,	July 4, 1577.
Hamilton, John, in Preston—surety,	March 15, 1571.
Hamilton, John and Ninian, in Prestonpans—sureties,	Aug. 17, 1573.
Hamilton, John, in Mirretoun—surety for,	June 27, 1572.
Hamilton, Patrick, in Hamilton—intercommuning,	June 27, 1572.
Hamilton, William, in Carstellane—surety for,	June 27, 1572.

Name and Conditions.	Date in Register.
Harper, James, in Orkney—at the horn,	Dec. 20, 1576.
Hathoway, James—act in favour of,	Feb. 28, 1574.
Hawick—caution for the men of,	Feb. 4, 1574.
Hawick—pledge for inhabitants of,	Feb. 22, 1571.
Hay of Dalgaty, William—to perambulate,	Aug. 7, 1575.
Hay of Tallo—allegiance,	March 14, 1571.
Hay of Ury, John—to perambulate,	Aug. 7, 1575.
Hay of Ury, William—surety for his brother Robert,	Jan. 23, 1575.
Hay, David, in Kirkcaldy—not entered,	May 21, 1577.
Hay, James—in ward in Linlithgow,	June 12, 1577.
Hay, William, in Netherton of Cremondgorth—free to perambulate,	Aug. 7, 1575.
Henderson of Fordel, James—surety,	June 27, and July 7, 1572.
Henderson, Mr. Edward—asks instruments,	Dec. 20, 1576.
Henderson, John, in Musselburgh—surety,	Aug. 17, 1573.
Henderson, Margaret—surety,	Aug. 17, 1573.
Henderson, Richard—surety,	Aug. 17, 1573.
Henry, James, burgess of Forres—surety for,	Aug. 19, 1573.
Henryson, Mr. Edward, advocate—surety,	July 18, 1574.
Henryson, Thomas, burgess of Edinburgh—surety,	Feb. 26, 1571.
Hepburn of Fortoun, Hary—released,	July 26, 1575.
Hepburn, Patrick, younger of Wauchton—becomes surety,	July 26, 1575. Feb. 18, 1576.
Hepburn, Patrick, younger of Wauchtoun—becomes surety,	Nov. 29, 1577.
Hering, Andrew—released,	Nov. 16, 1575.
Hering, Peter, in Cranston—to compear,	May 22, 1572.
Heriot of Trabroun, James—allegiance,	March 15, 1571.
Heriot, of Trabroun, James—becomes surety,	Oct. 22, 1577.
Herries, John Lord—suit for a sum for relief at hands of Englishmen,	Oct. 30, 1577.
Herris, Robert, burgess of Edinburgh—surety,	Jan. 9, 1575.
Hill of that Ilk, John—surety in relief,	July 9, 1574.
Home. *See Hume.*	
Houstoun of that Ilk, Patrick—in ward,	Jan. 1, 1576.
Houstoun of that Ilk, Patrick—protection to,	Feb. 19, 1576.
Houstoun of that Ilk, Patrick—becomes a principal surety,	Feb. 23, 1576.
Houstoun of that Ilk, Patrick—undertakes surety,	Aug 4, 1577.
Houstoun of that Ilk, Patrick—finds surety to keep the peace,	Feb. 23, 1576.
Houstoun, William—presents bond for registration,	Aug. 4, 1577.
Hume of Coldenknows, Sir James—surety for Burnfields remaining in ward,	Oct. 24, 1576.
Hume of Coldinknows, Sir James—surety for Borderers,	May 1, 1577.

Name and Conditions.	Date in Register.
Hume of Fishwick, David—surety for Englishmen,	May 13, 1575.
Hume of Gartsherry, Alexander—surety,	June 27, 1572.
Hume of Manderstone, Alexander—band by his brother John,	Feb. 26, 1571.
Hume of Manderstone, Alexander—becomes surety,	Nov. 29, 1576.
Hume of Quhitehouse, James—becomes surety for his kin,	
Hume of Wedderburn, George—surety for the protection of Haitlies,	Oct. 18, 1576.
Hume, Alexander, parson of Spott—surety,	June 27, 1572.
Hume, Jaspert—caution for,	Nov. 29, 1576.
Huntly, George Earl of—surety in relief,	July 18, 1576.
Innernochtie, tenants of—not to be molested,	March 31, 1572.
Innes of Cromy, Alexander—surety,	Sept. 10, 1574. Nov. 16, 1575.
Innes of that Ilk, Alexander—in ward,	Jan. 8, 1575.
Innes of Innermarky, Robert—surety,	Jan. 8, 1575.
Innes, John, son of Innes in Blakhills—surety for,	Sept. 10, 1574.
Irving of Steilhill, John—finds surety for his entry,	March 18, 1576.
Irving, Edward, called Lang Richie's Edward—surety for,	Aug. 18, 1573.
Irving, John, called "the Young Duke"—surety for,	Aug. 18, 1573.
Irwing, John—to keep ward,	March 23, 1574.
Jack, Andrew, burgess of Aberdeen—to compear,	May 2, 1572.
Jackson, Nicoll, bailie of Renfrew—obtained letters of horning,	Feb. 18, 1576.
Jedburgh, Andrew Commendator of—surety,	Feb. 15, 1571.
Jedburgh, Andrew Commendator of—procurator for,	Oct. 8, 1577.
Jedburgh, Commendator of—becomes surety,	Aug 18, 1573.
Joffray, James, in Orkney—at the horn,	Dec. 20, 1576.
Johnstone of the Coittis, John—lawburrows,	July 9, 1574.
Johnstone of Elphingstone, James—surety,	Oct. 31, 1573.
Johnstone of that Ilk, John—obligation by, of relief to surety,	March 18, 1576.
Johnstone of that Ilk—protection to,	Nov. 27, 1575.
Johnstone of that Ilk, John—surety,	May 5, 1576.
Johnstone of Kellobanks, John—complaint by,	Oct. 26, 1573.
Johnstone of Priestwood, Cudde—surety for presenting,	Aug. 18, 1573.
Johnstone of Quais, John—surety for entry of,	Aug. 18, 1573.
Johnstone of Wamfray, John—denounced for dispossessing his mother,	Oct. 4, 1577.
Johnstone, Andrew, in Orkney—at the horn,	Dec. 20, 1576.
Johnstone, David, in Staywood—surety for presenting,	Aug. 18, 1573.

Name and Conditions.	Date in Register.
Johnstone, George, burgess of Aberdeen—obligation by, of relief to surety,	March 18, 1576.
Johnstone, John, in Dumfries, widow of—complains of dispossession,	Oct. 5, 1577.
Johnstone, Patrick, in Oxendame—relief of,	Feb. 26, 1571.
Johnstone, Robert, Leith—surety,	Oct. 26, 1573. April 2, 1575.
Johnstone, William, burgess of Edinburgh—caution for,	Oct. 26, 1573.
Jolie, Robert—surety that he shall go abroad,	May 26, 1577.
Kennedy of Bargany, Thomas—becomes surety,	June 25, 1577.
Kennedy of Bargany, Thomas—surety,	Feb. 27, 1571.
Kennedy of Bargany, Thomas—lawburrows for him,	March 22, 1574.
Kennedy of Barquhany, Hugh—becomes surety,	March 2, 1576.
Kennedy of Blairquhan, John—lawburrows for him,	March 22, 1574.
Kennedy, Thomas, brother of late Gilbert Earl of Cassillis—denounced,	March 5, 1576.
Ker of Ancrum, Robert—surety for Robert and William, his "bastard sons natural,"	Feb. 27, 1571. Nov. 14, 1574.
Ker of Bludelawis, George—entry of,	Feb. 22, 1571.
Ker of Caverton, Sir William—surety,	Feb. 22, and March 6, 1571.
Ker of Cesfurd, Walter—to present Hekky Armstrong,	Aug. 18, 1573.
Ker of Cesfurd, Walter—surety for the Bishop of Dunkeld warding,	June 30, 1577.
Ker of Cesfurd, Walter—surety for Elliots,	Aug. 18, 1573.
Ker of Cesfurd, William, younger—surety for presenting an Elliot,	Aug. 18, 1573.
Ker of Fawdonside, Andrew—surety for Elliots,	Aug. 18, 1573.
Ker of Fawdonside, Andrew—surety,	Feb. 22 and March 14, 1571. June 27, 1572.
Ker of Fawdonside, Andrew—obligation by,	Feb. 26, 1571.
Ker of Gaitshaw, Lancy—protection against,	Dec. 7, 1576.
Ker of Greenhead, James—cautioner in relief,	March 2, 1575.
Ker of Phairnihirst, Sir Thomas—traitor,	Feb. 22, 1571.
Ker of Wodheid, Robert—in ward,	Feb. 21, 1571.
Ker of Wodheid, Robert—to pay for a tun of wine,	Feb. 26, 1571.
Ker, George—pledge,	Feb. 15, 1571.
Ker, Mark, burgess of Edinburgh—surety,	Nov. 16, and Feb. 5, 1575.
Ker, Robert, elder—surety for merchants in Chester having debtors in Scotland,	Sept. 24, 1577.
Ker, Captain Thomas, released—caution for,	Feb. 5, 1575.
Ker, Thomas—released,	Nov. 16, 1575.

Name and Conditions.	Date in Register.
Ker, Walter—cautioner in relief,	March 2, 1575.
Kerse, Laird of—dispute with Hamilton of Sanquhar,	Feb. 13, 1576.
Keyth, William—denounced for failure to appear,	Feb. 13, 1576.
Killemure, Adam Master of—to underly the law,	June 27, 1572.
Kincaid of that Ilk, James, younger—surety,	May 4, 1573.
Kincaid, Alexander, in Orkney—at the horn,	Dec. 20, 1576.
Kincaid, Thomas—surety found for,	May 4, 1573.
Kincaid, Walter, in Orkney—at the horn for slaughter,	Dec. 20, 1576.
King, Alexander—presents bond for registration,	Nov. 5, 1576.
Kinloch, David, burgess of Edinburgh—surety,	Feb. 26, 1574.
Kinnaird of that Ilk, Patrick—not to stop a perambulation,	Aug. 7, 1575.
Kirkcaldy of Grange, widow of—surety for,	May 20, 1578.
Kirkcaldy—salt collector at the pans of,	March 31, 1575.
Kirkcudbright—caution for the men of,	Jan. 9, 1575.
Kirkpatrick of Barnmure, James—surety,	Nov. 11, 1574.
Kirkton of Stewartfield, William—entry of,	Feb. 22, 1571.
Kirkton, William—pledge,	Feb. 16, 1571.
Knowis, William, bailie of Linlithgow—surety,	May 6, 1572.
Kyd, Robert, bailie of Dundee—surety for the clerk of cocket of the burgh,	Aug. 26, 1575.
Langlands of that Ilk, James—surety for Borderers,	Aug. 18, 1573.
Langlands of that Ilk, James—obligation to relieve sureties,	Feb. 18, 1576.
Langlands of that Ilk, James—entry of,	Feb. 26, 1571.
Lathrisk, Walter—salt collector,	March 31, 1575.
Lauder of Croneley, Alexander—to enter Robert Armstrong in Blackness,	Aug. 18, 1573.
Lauder of Haltown, William—surety for entering an Eliot,	Aug. 18, 1573.
Lauder of Haltoun, William—surety,	May 6, 1572. Dec. 7, 1574.
Lauder of Whitslaid, Gilbert—surety,	Feb. 20, 21, and 22, 1571.
Lauder, Gilbert, burgess of Edinburgh—surety,	July 16, 1574. Sept. 30, 1575.
Lauder, James—caution for,	July 16, 1574. Sept. 30, 1575.
Laudlo, Ninian—pledge,	Feb. 15, 1571.
Lecky of that Ilk, Walter—surety found for,	Aug. 8, 1577. March 29, 1578.
Lecky of that Ilk—surety for warding,	June 1, and July 3, 1577.
Leich, William, Edinburgh—complaint against,	Dec. 12, 1571.
Leirmonth of Dersy, Sir Patrick—becomes surety,	May 20, 1578.

Name and Conditions.	Date in Register.
Leirmonth, Margaret, widow of Kirkcaldy of Grange—surety for,	May 20, 1578.
Lekprevick, Robert—not to print without license,	July 16, 1574.
Leslie of Balquhan, John—surety,	Sept. 2 and Feb. 17, 1574. Feb. 28, 1575.
Leslie of Buchquhane, John—surety,	April 12, 1576.
Leslie, Mr. Thomas—released,	Feb. 17, 1574.
Leyth of Liklyheid, William—surety,	Jan. 11, 1574.
Leythheid, land of, belonging to William Brigtoun,	Feb. 22, 1574.
Lindsay of Blacksolm, John—finds surety to go abroad,	May 23, 1577.
Lindsay of the Byres, Patrick Lord—becomes surety,	Dec. 4, 1577.
Lindsay of the Byres, Patrick Lord—surety,	July 31 and Dec. 1, 21, and 2, 1574. Sept. 25, 1576.
Lindsay of the Byres, Patrick Lord—receives Rory M'Kenzie as pledge,	July 16, 1574.
Lindsay of Covington, John—pledge,	June 27, 1572.
Lindsay of Dunrod, Robert—surety,	Feb. 27, 1571. June 27, 1572. Dec. 25, 1576.
Lindsay of Edyell, David—becomes surety,	Oct. 23, 1577.
Lindsay of Kinettles, David—becomes surety in relief,	Oct. 23, 1577.
Lindsay of the Vane, Alexander—surety,	May 23, 1573.
Linlithgow, Andrew—abroad,	Oct. 16, 1575.
Little of Kessok, John—entered in a charge,	Oct. 8. 1577.
Little, Andrew, called Ingram's Andrew—surety for,	Aug. 18, 1573.
Little, William, burgess of Edinburgh—in ward,	Sept. 17, 1575.
Littlejohn, James—caution for,	Sept. 27, 1577.
Livingstone of Belstane, John—to underly the law,	June 27, 1572.
Livingstone of Donipace, John, younger—becomes and finds surety,	June 25, 1573.
Livingstone of Donypace, John—warded,	May 27, 1578.
Livingstone of Halhill, Thomas—intercommuning,	June 27, 1572.
Livingstone of Haning, Thomas—surety,	May 6, 1572.
Livingstone of Jerviswood, William—to compear,	Feb. 27, 1571.
Livingstone of Jerviswood, William—to underly the law,	June 27, 1572.
Livingstone of Jerviswod, William—surety in relief,	July 9, 1574.
Livingstone of Kilsyth, William—finds security for good conduct abroad,	Oct. 10, 1577.
Livingstone of Westquarter, Robert—surety,	April 17, 1575.
Livingstone, Alexander Master of—surety,	July 18, 1576.
Livingstone, David, burgess of Edinburgh—surety,	May 5, 1572.
Livingstone, John, apparent of Pentoskane—surety for,	June 25, 1573.

Name and Conditions.	Date in Register.
Livingstone, John—caution for,	April 17, 1575.
Livingstone, William, in Inchemauchane—allegiance,	May 6, 1572.
Livingstone, William, son of the Laird of Castlecary—surety for,	June 25, 1573.
Lockhart of Bar, John—surety,	June 27, 1572.
Lockhart of Cleghorne, Mungo—to compear,	Feb. 27, 1571.
Lockhart of Cleghorne, Mungo—surety,	June 27, 1572.
Lockhart of Cleghorne, Mungo—lawburrows for,	July 9, 1574.
Lockhart of Kirkwod, Gawin—surety,	June 27, 1572.
Lockhart of Ley, James—surety,	June 27, 1572.
Lockhart of Wiketshaw, Stephen—to underly the law,	June 27, 1572.
Lockhart, William, in Corsfurde—to underly the law,	June 27, 1572.
Logan, Robert, in Bonyngton—put to the horn,	Oct. 28, 1575.
Lowrie, William—cited as a witness,	July 28, 1574.
Lundy, Andrew, brother of Lundy—surety,	May 6, 1572.
Lyell, James, in Orkney—at the horn,	Dec. 20, 1576.
Lyon, Thomas—surety for Borderers,	May 1, 1577.
M^{c}Allane, Alaster Dow—surety for,	March 1, 1576.
M^{c}Brair of Almegill, Archibald—compears,	Nov. 11, and Dec. 1 and 2, 1574.
M^{c}Calyean of Cliftonhall, Mr. Thomas—cautioner,	April 4, 1572.
M^{c}Craken, Michael, notary—surety for,	May 2, 1577.
M^{c}Cuir, Robert, burgess of Edinburgh—becomes surety,	Sept. 27, 1577.
M^{c}Culloch, Alexander, in Orkney—at the horn,	Dec. 20, 1576.
M^{c}Dowell of Garthland, Uthrid—becomes surety,	May 2, 1577.
M^{c}Dowell of Garthland, Uthrid—lawburrows,	Feb. 25, 1575.
M^{c}Dowell of Makerston, James—lawburrows for,	Feb. 25, 1575.
M^{c}dowell of Makerston, James—surety for,	Sept. 17, 1576.
M^{c}Dowell of Mundork, Uthrid—surety for,	March 17, 1573.
M^{c}Dowell of Mundork, Uthrid—to be tried for false money,	Nov. 28, 1575.
M^{c}Dowell of Stodrig, Thomas—surety in relief,	Feb. 25, 1575.
M^{c}Dowell, Uthred—becomes surety,	May 2, 1577.
M^{c}Kenzie of Kintail, Colin—surety,	July 16, 1574.
M^{c}Kenzie of Kintail, Colin—his brother Rory pledge,	July 16, 1574.
M^{c}Kenzie of Kintail, Colin—caution for his brother Rory,	Dec. 1 and 2, 1574.
M^{c}Lean, John, son of Maclane of Dowart—imprisonment of,	Feb. 8, 1576.
M^{c}Lellan of Bomby, Thomas—obligation by,	Nov. 28, 1575.
M^{c}Leod, of the Lewis, Rory—presenting of Tormont son of,	Jan. 21, 1576.
M^{c}Leod of the Lews, Rory—surety for his son Torquill,	Sept. 25, 1576.
M^{c}Leod, Tormont—surety to present,	May 21, 1576.

Name and Conditions.	Date in Register.
M°Quhany of Auchtule, James—to underly the law,	June 27, 1572.
Makellure, Margaret, widow—complains of dispossession,	Oct. 5, 1577.
Mar, Alexander Master of—surety, . .	May 5, 1576.
Martin of Brady—pledge for the surname of Nickson,	Aug. 18, 1573.
Martin, Andrew, John, and Thomas, burgesses of Crail—caution for, ...	Oct. 15, 1575.
Martin, John, burgess of Kirkcudbright—in ward,	Jan. 9, 1575.
Masterton of Parkmylne, Alexander—surety for his son James, ...	Oct. 24, 1574.
Masterton, Robert—licensed to levy troops for the Low Country, ...	Oct. 18, 1577.
Mathe, Adam—caution for, . . .	May 15, 1576.
Maxwell of Calderwood, James, younger—intercommuning, ...	June 27, 1572.
Maxwell of Calderwood, James—surety, .	Jan. 1, 1576.
Maxwell of Calderwood, John—his son John surety for,	June 27, 1572.
Maxwell of Cowhill, Robert—surety, . .	Nov. 27, 1575.
Maxwell of Drumceltrane, Edward—surety, .	Nov. 27, 1575.
Maxwell of Netherpollok, John—undertakes surety,	Aug. 4, 1577.
Maxwell of New-Wark, George—becomes a principal surety, ...	March 2, 1576.
Maxwell of New Werk, George—protection to,	Feb. 19, 1576.
Maxwell of New Werk, George—surety, .	Aug. 4, 1577.
Maxwell of New-Wark, Patrick, younger—becomes surety, ...	May 26, 1577.
Maxwell, George—security to keep the peace to Lord Glencairn, ...	March 2, 1576.
Maxwell, George, Hawick—pledge, . .	Feb. 22, 1571.
Maxwell, Herbert, in Caverto—surety found for,	Aug. 29, 1577.
Maxwell, Richard—surety found for, . .	Aug. 29, 1577.
Maxwell, Robert—surety found for, . .	Aug. 29, 1577.
Maxwell, John Lord—protection against, .	Nov. 27, 1575.
Maxwell, John Lord—cautioner in relief, .	Nov. 28, 1575.
Maxwell, John Lord—surety, . . .	Jan. 11 and 17, 1575.
Maxwell, John Lord—Jamie Armstrong delivered to,	Jan. 21, 1576.
Maxwell, John Lord—surety for his not escaping from Blackness, ...	Aug. 4, 1577.
Melville of Murdocairny—caution for, .	Oct. 31, 1573.
Menteith of West Kerse, William—released, .	May 27, 1578.
Menteith, Earl of—surety found for, . .	Aug. 8, 1577.
Menteith, Earl of—finds surety to keep good rule,	March 29, 1578.
Menteith, William Earl of—sureties for appearance of, before the Council, ...	June 24, 1577.
Menzies of Fokarton, John, younger—surety, .	June 27, 1572.

Name and Conditions.	Date in Register.
Millar, Alexander, burgess of Crail—caution for,	Oct. 15, 1575.
Millar, John, in Mylneheuch—surety for,	June 27, 1572.
Miteschaw, William—delivery to, of the ship "Mynioun,"	Nov. 19, 1577.
Moncrief of that Ilk, William—surety,	July 11, 1572.
Moncrief of that Ilk, William, younger—surety,	July 21, 1572.
Moncrief of the Rynd, James—surety,	July 11 and 21, 1572.
Moncrief, Alexander, son of Moncrief of that Ilk—surety,	Aug. 14, 1574.
Montgomery of Braidstane, Adam—licensed to levy troops for the Low Country,	Oct. 22, 1577.
Montgomery of Giffen—denunciation for not appearing,	May 25, 1577.
Montgomery of Giffen, Hugh—becomes surety,	May 26, and Oct. 22, 1577.
Montgomery of Giffen, Hugh—surety that Robert Jolie go abroad,	May 26, 1577.
Montgomery of Hassilhead, Hew—surety,	Feb. 27, 1575.
Monypenny of Pilrig, Patrick—surety,	March 14, 1571.
Monypenny, John, burgess of Perth—surety,	March 27, 1575.
Monypenny, Peter, in Orkney,—at the horn,	Dec. 20, 1576.
Montrose, John Earl of—surety in relief,	May 23, 1573. July 16, 1574.
Morison, John, burgess of Edinburgh—in ward,	Sept. 17, 1575.
Morison, John, in Orkney—at the horn,	Dec. 20, 1576.
Moscrop, John—appears before the Council as Procurator,	Oct. 30, 1577.
Moscrop, Patrick, burgess of Jedburgh—paid for wine,	Feb. 26, 1571.
Mow of that Ilk—becomes surety,	Dec. 7, 1576.
Murdiston, Andrew, burgess of Edinburgh—surety,	March 15, 1571. July 26, 1572.
Mure of Cauldwell, Robert—surety,	July 17, 1576.
Mure of Cauldwell, Robert,—presents Pollok of that Ilk,	Nov. 14, 1576.
Murray, Allister, in Orkney—at the horn,	Dec. 20, 1576.
Murray, Captain David—licensed to levy men to serve in the Low Country,	Oct. 17, 1577.
Myretown, Thomas, of Cambo—becomes surety,	July 16, 1574. Oct. 26, 1577.
Napier of Edenbilly, Archibald—represents Stirling of Keir,	Oct. 8, 1577.
Napier of Edinbilly, Archibald—to deliver Merchiston,	May 1, 1572.
Napier of Wrightshouses, William, burgess of Edinburgh—in ward,	Sept. 17, 1575.
Napier, Andrew, brother of Napier of Merchiston—pursuer,	May 13, 1572.

Name and Conditions.	Date in Register.
Napier, Andrew, burgess of Edinburgh—becomes surety,	Sept. 27. 1577.
Neilson, Robert, notary, at kirk of Arbuthnot—denounced,	Sept. 15, 1577.
Newton of that Ilk, William—not entered,	May 5, 1572.
Newton, Captain Thomas—licensed to levy troops for Flanders,	Nov. 19, 1577.
Nicholl, David—witness,	March 21, 1572.
Nicksons, surname of—pledge for, to the Council,	Aug. 18, 1573.
Nicolson, Robert, burgess of Edinburgh—surety,	May 2, 1575.
Nisbet, Captain John—surety to keep the peace to,	Oct. 18, 1577.
Nisbet, Henry, burgess of Edinburgh—in ward,	Sept. 17, 1575.
Norwell, William, burgess of Stirling—lawburrows to,	Jan. 19, 1575.
Nymmill, John, burgess of Edinburgh—surety,	March 26, 1575.
Ochiltree, Andrew, Master of—released,	Oct. 5, 1575.
Ochiltree, Master of, Andrew Stewart—caution to compear,	March 3, 1575.
Ogill of Hartwood, Henry—surety,	May 5, 1572.
Ogilvie of Dunlugas, George—becomes lawburrows,	Oct. 19, 1576.
Ogilvie, Captain Patrick—licensed to levy troops to serve in Flanders,	Dec. 4, 1577.
Oliphant, Captain James—licensed to levy troops for Flanders,	Oct. 23, 1577.
Oliphant, William—presents bond for registration,	Oct. 23, 1577.
Oliphant, Lawrence Lord—becomes surety,	Oct. 23, 1577.
Or, John—warded in Blackness,	June 1 and Aug. 9, 1577.
Ormiston, James—surety found for,	Aug. 9, 1577.
Orrok, James, in Orkney—at the horn,	Dec. 20, 1576.
Otterburne, Robert, messenger—complaint by,	July 17, 1576.
Owstiane, John, burgess of Edinburgh—surety,	Jan. 9, 1575.
Panton of Pitmedden, John—caution for his brother William,	Feb. 28, 1575.
Park, Adam, Andrew, and Edmond, in Broxlaw—protection to,	Feb. 25, 1575.
Park, Margaret—charge by, for oppression,	May 25, 1577.
Paterson, Adam—becomes surety,	Sept. 12, 1577.
Paterson, William, Kirkcaldy—entry of,	Sept. 27, 1577.
Pawton, David—denounced at the horn,	Nov. 19, 1577.
Pennycuik of that Ilk, John, younger—becomes surety,	June 12, 1577.
Pennycuik of that Ilk, John, elder—surety,	July 26, 1572.
Pennycuik, William, parson of Pennycuik—allegiance,	March 15, 1571.
Perth, men of—surety for,	Dec. 4, 1577.
Pettinweem—surety for pan-masters of,	Nov. 7, 1573.
Pollock of Over Pollock, John—caution for,	July 17, 1576.

Name and Conditions.	Date in Register.
Pollok of that Ilk, John—presented,	Nov. 14, 1576.
Polwart of Couston, James—entry of,	May 6, 1572.
Porterfield of that Ilk, John—pledge and surety,	June 27, 1572.
Porterfield, Thomas, in Keilflet—lawburrows against violence from,	Oct. 19, 1576.
Preston of Craigmillar, George, tutor—surety,	Jan. 14, 1575.
Preston, James, caution for,	July 30, 1574.
Preston, John, burgess of Edinburgh—becomes surety,	Oct. 16, 1577.
Purves, Robert, burgess of Edinburgh—surety,	Oct. 16, 1575.
Pyle of Milnheuch, George—surety found for his warding in Edinburgh,	Nov. 16, 1577.
Pyle of Milnheuch, George,—his corns and houses to be burnt,	Feb. 15, 1571.
Pyle, George, in Mylnheugh—submits to the Regent,	Nov. 17, 1577.
Pyle, John—surety found for his warding in Edinburgh,	Nov. 16, 1577.
Pyle, John, son of George Pyle of the Raw—submits to the Regent,	Nov. 17, 1577.
Quharry, Thomas—lawburrows to,	July 9, 1574.
Quhitefield, tenants of—surety against spoliation of,	Oct. 26, 1573.
Ra, Robert, pursuivant in Hamilton—intercommuning,	June 27, 1572.
Ramsay of Dalhousie, George—lawburrows for protection of,	Sept. 24, 1576.
Ramsay of Poltoun, George—caution for, while abroad,	June 14, 1575.
Ramsay, George, sometime of Polton—lawburrows against,	Sept. 24. 1576.
Ramsay of Whitehill, James—surety,	June 14, 1575.
Ramsay of Whitehill, James—undertakes lawburrows,	Sept. 24, 1576.
Ramsay, Alexander, in Prestonpans—surety,	Aug. 17, 1573.
Ramsay, John, burgess of Crail—caution for,	Oct. 15, 1575.
Ramsay, Captain John—licensed to levy men to serve in the Low Country,	Oct. 16, 1577.
Ranny, Alexander, salt collector at Kirkcaldy—surety for,	March 31, 1575.
Raulphe in Plenderleith—entry of,	Feb. 22, 1571.
Reddok, James, in Orkney—at the horn,	Dec. 20, 1576.
Redfurde, Rauff, merchant in Chester—surety for,	Sept. 24, 1577.
Reid of Colleiston, Gilbert—complaint by,	May 2, 1575.
Reid, John—denounced at the horn,	Nov. 19, 1577.
Reid, Nicol, Leith—surety,	June 19, 1572.
Reid, Troyolus, gunner—entry of,	June 19, 1572.
Reidpeth, Andrew, Leith—released,	April 2, 1575.
Reidpeth, Thomas—released,	April 2, 1575.
Reidpeth, Walter, in Orkney—at the horn,	Dec. 20, 1576.

Name and Conditions.	Date in Register.
Renfrew, Bailies and Council of—protection to,	Oct. 8, 1576.
Riddell of that Ilk, Walter—surety for Elliots,	Aug. 18, 1573.
Roberton of Ernok, James—to underly the law,	June 27, 1572.
Robertson, Alexander and John, in Prestonpans—sureties,	Aug. 17, 1573.
Robertson, Barthilmo, in Hamilton—surety for,	June 27, 1572.
Robertson, John, burgess of Edinburgh—surety,	July 30, and Jan. 11, 1574.
Robertson, John, burgess of Aberdeen—trafficking in false money,	Jan. 11, 1574.
Robertson, John, in Bothkennar—surety for,	June 25, 1573.
Robertson, John, in Orkney—at the horn,	Dec. 20, 1576.
Robertson, John, cutler, burgess of Edinburgh—becomes surety,	Oct. 11, 1577.
Robson, Ade—surety found for his warding in Edinburgh,	Nov. 16, 1577.
Robson, Ade, called Bukie—submits to the Regent,	Nov. 17, 1577.
Robson, John, cutler, burgess in Edinburgh—becomes surety,	May 25, 1577.
Robson, Matthew, son of Ninian—surety for,	Nov. 17, 1577.
Robson, Ninian—surety found for his warding in Edinburgh,	Nov. 16, 1577.
Robson, Ninian, in Houston, and his son Ralph—submit to the Regent,	Nov. 17, 1577.
Robson, Ninian, in Houston—entry of,	Feb. 22, 1571.
Robson, son of Ninian—surety for,	Nov. 17, 1577.
Robson, Ralph—surety found for his warding in Edinburgh,	Nov. 16, 1577.
Robson, Thomas, in Orkney—at the horn,	Dec. 20, 1576.
Robson, William, messenger—relaxed,	Feb. 18, 1576.
Rollock, William, clerk of cocket of Dundee—caution for,	Aug. 26, 1575.
Ross of Balnagown, Alexander, warded—caution for him,	July 16, 1574.
Ross of Balnagown, Alexander—caution for,	July 31, and Dec. 21, 1574.
Ross of Balnagown, George—cautioner in relief,	July 16, 1574.
Ross, George, son of Alexander of Balnagown—surety for,	May 25, 1577.
Ross, George, son and apparent heir of Ross of Balnagowan—surety for,	March 29, 1578.
Ross of Cragy, John—becomes surety,	Dec. 4, 1577.
Ross, James Lord—becomes surety,	June 1, 25, and Aug. 9, 1577.
Ross, James Lord—surety found for,	Oct. 8, 1576.
Rothes, Andrew Earl of—surety,	Oct. 31, 1573.
Russell, George, in Arran—surety for,	Feb. 16, 1576.
Rutherford of Edyarston, Richard—surety,	Feb. 15, 1571.

Name and Conditions.	Date in Register.
Rutherford of Gordon's Mains—finds surety to remain in ward,	Oct. 24, 1576.
Rutherford of Hunthill, John—surety,	Dec. 15, and Feb. 16, 1571.
Rutherford of Hunthill, John, younger—surety,	Feb. 22, 1571.
Rutherford of Hunthill, John—surety for persons tendering allegiance,	Nov. 17, 1577.
Rutherford of Hunthill, John—becomes surety,	Nov. 16, 1577.
Rutherford, George, in Jedburgh—put to the horn,	March 23, 1574.
Rutherford, Richard, Provost of Jedburgh—surety,	Feb. 15, and 22, 1571.
Rutherford, Richard, Provost of Jedburgh—to receive Ker of Bludelawis,	Feb. 22, 1571.
Ruthven, William Lord—to enter Andrew Batie,	Aug. 18, 1573.
Ruthven, William Lord—surety for Torquill M^{c}Cloyd,	Sept. 25, 1576.
Ruthven, William Lord—surety for Borderer,	Aug. 18, 1576.
Sandilands of Calder, James—becomes surety,	Oct. 8, 1576.
Sandilands of St. Monance, James—allegiance,	March 15, 1571.
Sandilands, Alexander—surety for,	May 13, 1572.
Scola, Edward, in Orkney—at the horn for slaughter,	Dec. 20, 1576.
Scott of Balwery, Sir William, allegiance,	April 4, 1572.
Scott of Balwery, Sir William—surety for Elliots,	Aug. 18, and Oct. 31, 1573.
Scott of Branxholme, Sir Walter—warding of,	Feb, 26, 1571.
Scott of Branxholm, Sir Walter—surety for Borderers,	Aug. 8, and Nov. 24, 1573.
Scott of Eidschaw, Walter—surety for Borderers,	Aug. 18, 1573.
Scott of Eidshaw, William, son of Walter—warding of,	Feb. 26, 1571.
Scott of Eldinghope, Watt—to relieve a surety,	Sept. 17, 1576.
Scott of Goldelandis, Walter—surety,	Feb. 4, 1574.
Scott of Goldelands, Watt—assurance with Lord Borthwick,	Jan. 14 and 16, 1575.
Scott of Howpaslet, Sir Walter—surety,	Feb. 22, 1571. Nov. 24, 1573.
Scott of Howpaslet, Sir Walter—warding of,	Feb. 26, 1571.
Scott of Howpaslett, Sir Walter—to relieve a surety,	Sept. 17, 1576.
Scott of Petcorno, Thomas—surety for Lady Fleming,	Oct. 26, 1577.
Scott of Petgorno, Thomas—surety,	Feb. 26, 1571.
Scott of Thirlstane, Robert—surety for Borderers,	Aug. 18, 1573.
Scott, Alexander, in Stirling—finds surety not to go abroad,	May 25, 1577.
Scott, Jeane—complaint by,	Nov. 24, 1573.
Scott, John, Hawick—pledge,	Feb. 22, 1571.
Scott, John, Hawick—entry of,	Feb. 4, 1574.

Name and Conditions.	Date in Register.
Scott, John, son of Alexander, in Stirling—finds surety for conduct in England,	Oct. 11, 1577.
Scott, Michael, in Vogry—to compear,	May 22, 1572.
Scott, Robert, Hawick—pledge,	Feb. 22, 1571.
Scott, Stephen—surety for,	July 10, 1574.
Scott, Thomas, called the Stowr—surety for,	Aug. 18, 1573.
Scott, Thomas, burgess of Edinburgh—undertakes surety,	Aug. 9, 1577.
Scott, Thomas, Englishman—in ward,	May 13, 1575.
Scott, Thomas, Englishman—entry of,	June 4, 1575.
Scott, Umphra, brother to the vicar of Monzie—charged to appear,	Oct. 24, 1576.
Scott, Walter, in Chalmerlain Newton—surety found not to molest,	Sept. 26, 1576.
Scott, Walter, in Chalmerlane Newton—surety for him,	Nov. 24, 1573.
Scott, Walter—to find surety not to molest Gavin Elliot,	Sept. 17, 1576.
Scott, William, vicar of Monye—finds security not to molest Patrick Drummond,	Jan. 26, 1576.
Scott, William, vicar of Monzie—charged to appear,	Oct. 25, 1576.
Sempill of Auchinbothy, Cuthbert—surety,	Oct. 8, 1576.
Sempill, Robert Lord—to enter John Irwing,	Aug. 18. 1573.
Sempill Robert, Lord—warding with,	March 23, 1574.
Seyton of Carraldstoun, George—license to go abroad—conditions,	June 27, 1577.
Seyton of Gargunnock—undertakes surety,	Aug. 8, 1577.
Seyton of Meldrum, William—surety,	Nov. 16, 1575.
Seyton of Northrig, Thomas—becomes surety,	Oct. 16, 1577.
Seyton of Tillibody, James—becomes surety,	July 3, 1577.
Seyton of Touch—surety for Lecky of that Ilk—warding,	June 1, 1577.
Seyton, David,—surety,	Aug. 17, 1573.
Seyton, George Lord—becomes surety,	June 24, 1577.
Seyton, George Lord—license to go abroad—conditions,	June 27, 1577.
Seyton, Robert Master—license to go abroad—conditions,	June 27, 1577.
Sharp, John—acts as Prolocutor,	Oct. 30, 1577.
Sinclair of Ayth, Arthur—surety found for,	July 4, 1577.
Sinclair of Ethay, Arthur—surety for safety of,	Nov. 1, 1576.
Sinclair of Roslyn, William—surety to present David Bell,	Aug. 18, 1573.
Sinclair, Henry Lord—surety to present Borderers,	Aug. 18, 1573.
Sinclair, Henry Lord—obligation of relief to sureties,	July 4, 1577.
Sinclair, Henry Lord—surety,	June 3, 1573.
Sinclair, William, son of Olive Sinclair, "Fowde" of Zetland—caution for,	June 3, 1573.
Skene, Mr. Alexander—procurator,	Nov. 5, 1576.
Smith, David, in Kirkcaldy—obligation to present,	Sept. 27, 1577.

Name and Conditions.	Date in Register.
Somerville of Cambusnethane, John—to underly the law,	June 27, 1572.
Somerville, Barthilmo, burgess of Edinburgh—surety,	March 27, 1575.
Somerville, Hew Lord—surety,	June 27, 1572.
Souter, John, messenger—in Tolbooth of Edinburgh,	Jan. 23, 1577-8.
Spalding, Captain David—licensed to levy troops for the Low Country,	Oct. 23, 1577.
Spreule of Cowden, Thomas—surety,	June 27, 1572.
Spreule, Thomas, of Coldoun—becomes surety,	Oct. 8, 1576.
Sprot, David, tailor in Oxnam—surety for,	Nov. 17, 1577.
Steill, Aide—surety for presenting his son,	Aug. 18, 1573.
Steill, Jock, Borderer—surety for presenting,	Aug. 18, 1573.
Stevenson of that Ilk, John—to underly the law,	June 27, 1572.
Stewart of Craigiehall, John—gets hornings for non-removal from his lands of Pennyfadeoch,	Nov. 19, 1577.
Stewart of Craigiehall, John—not to supply rebels with victual,	May 5, 1572.
Stewart of Garlies, Alexander—surety,	June 27, 1572.
Stewart of Gaston, Thomas—surety,	Oct. 7, 1575.
Stewart of Minto, Sir John—surety,	June 27, 1572.
Stewart of Minto, Sir John—surety for Borderer,	Aug. 18, 1573.
Stewart, Archibald, burgess of Edinburgh—surety,	April 2, and Aug. 7, 1575.
Stewart, Archibald, burgess of Edinburgh—surety,	Oct. 22, 1577.
Stewart, James, in Orkney—at the horn,	Dec. 20, 1576.
Stewart, John, Bailie of Ayr—surety for,	Oct. 13, 1573.
Stewart, Malcolm—charge by, of oppression,	May 25, 1577.
Stirling of Keir, James—entry of John Little by,	Oct. 8, 1577.
Stirling of Keir, Sir James—surety,	July 18, 1576.
Stirling, David, burgess of Edinburgh—trafficking in gold and silver,	Feb. 26, 1574.
Stirling, Robert, burgess of Edinburgh—surety,	Dec. 25, 1575.
Strang, George, presents obligation to be registered,	Dec. 4, 1577.
Strudgeon, John, in Cowcors—surety for his safety,	Aug. 29, 1577.
Strudgeon, William—surety for his safety,	Aug. 29, 1577.
Sutherland, Alexander, in Orkney—at the horn,	Dec. 20, 1576.
Sutherland, John Earl of—surety,	July 16, 1574.
Swinton, Alexander, Archer of the Guard in France—caution for,	July 18, 1574.
Sydserf of that Ilk, Patric, younger—becomes surety,	Nov. 19, 1577.
Symes, David, burgess of Edinburgh—becomes surety,	Aug. 20, 1573.
Symmer, David, burgess in Edinburgh—becomes surety,	Aug. 19, 1573.
Tarrell, Hew, in Orkney—at the horn,	Dec. 20, 1576.
Temple, James—taken in custody,	March 2, 1578.

Name and Conditions.	Date in Register.
Thomson, John, in Hagbray—to compear, .	May 22, 1572.
Touris of Inverleith, John—warding with, .	Jan. 27, 1574.
Traill, Captain Andrew—licensed to levy troops for Flanders, ...	Oct. 26, 1577.
Trotter, Thomas—represents Commendator of Jedburgh,	Oct. 8, 1577.
Troupe, Hieronym, Portioner of Coltfauld—lawburrows against violence from, . . .	Oct. 19, 1576.
Tulloch, Edward—at the horn for slaughter, .	Dec. 20, 1576.
Tulloch, Michael, in Forres—surety for, .	Aug. 19 and 20, 1573.
Tulloch, Sir Nicoll, vicar of Ruthven—surety for,	Aug. 19 and 20, 1573.
Turnbull of Bedrule, Sir Thomas—surety, .	Feb. 15 and 19, 1571.
Turnbull of Bullerwall, Adam—pledge, .	Feb. 15, 1571.
Turnbull of Bullerwell, Adam—to compear, .	Feb. 20, 1571.
Turnbull of Bullerwell, Adam—warding of, .	Feb. 22, 1571.
Turnbull of Halroull, George—to abide in Leith,	Feb. 19, 1571.
Turnbull of Halwell, George—pledge, . .	Feb. 15, 1571.
Turnbull of Halwell, George—entry of, .	Feb. 22, 1571.
Turnbull of Minto, John—becomes surety, .	Feb. 22, 1571. Feb. 18, 1576.
Turnbull, Margaret, in Chalmerlane Newton—surety for,	Nov. 24, 1573.
Turner, Hector, servitor of Earl of Errol—protests,	May 2, 1575.
Tweedell of Bankheid, Robert—to underly the law,	June 27, 1572.
Tweedy of Drava, Adam—cited, . .	Dec. 6, 1574.
Tweedy of Drava, Adam—act in favour of, .	March 11, 1574.
Tweedy of Drumelzear, John—protection to, .	March 11, 1574.
Tweedy of Drumelzier, John—caution for, and Patrick his uncle, ...	Dec. 7, 1574.
Tweedy of Froude, James—protection to, .	March 11, 1574.
Tweedy of Frude, James—caution for, . .	Dec. 7, 1574.
Udart, Alexander, burgess of Edinburgh—in ward,	Sept. 17, 1575.
Udart, Nicolas, burgess of Edinburgh—in ward,	Sept. 17, 1575.
Uddart, John, burgess of Edinburgh—surety,	Feb. 28, 1574.
Ur, Alexander, in Orkney—at the horn, .	Dec. 20, 1576.
Urquhart, Hew, burgess of Forres—surety for,	Oct. 26, 1573.
Vans, David, Leith—surety, . .	May 6, 1572.
Vans, Thomas, burgess of Edinburgh—cautioner,	April 4, 1572.
Veche, Patrick—becomes surety, . .	Sept. 12, 1577.
Waddle, Adam, in Preston—surety, . .	March 15, 1571.
Waddle, Adam, in Musselburgh—pledge, .	Aug. 17, 1573.
Waddle, John—surety, . . .	Aug. 17, 1573.
Walker, Murdo, Edinburgh—complaint against,	Dec. 12, 1571.
Walker, Murdo, burgess of Edinburgh—surety,	May 16, 1572.

Name and Conditions.	Date in Register.
Wallace of Carnell, Hew—surety, . .	June 27, 1572.
Wallace of Craigy, John—quarrel, . .	Feb. 27, 1575.
Wallace, George—surety, . . .	Aug. 17, 1573.
Watson, Robert, burgess of Edinburgh—cautioner,	Oct. 15, 1575.
Watt, John, burgess of Edinburgh—surety, .	March 4, 1574.
Wauch, William, burgess of Forres—caution for,	Aug. 20, 1574.
Wauch, William, burgess of Forres—protest by,	Sept. 20, 1574.
Wedderburne, James, clerk of cocket in Dundee,	March 27, 1575.
Wedderspoon of Brighouse, James—allegiance,	May 6, 1572.
Weir of Auchtyfarder, William—to underly the law,	June 27, 1572.
Weir of Blaikwod, James—to underly the law,	June 27, 1572.
Weir of Clennothdyke, John—surety, .	June 27, 1572.
Weir of Halcraig, Alexander—to underly the law,	June 27, 1572.
Weir of Kirkton, Thomas—surety, . .	June 27, 1572. April 5, 1576.
Weir of Stanehouse, William—surety, .	June 27, 1572.
Weir of Stanebyres, William—surety for, .	June 27, 1572.
Weir, Mr. John, Dean of Lanark—cited, .	July 28, 1574.
Weir, Thomas—caution for, . . .	July 30, 1574.
Weir, William, in Moscastle—caution for, .	April 5, 1576.
Welsh, Robert, burgess of Edinburgh—surety,	Feb. 2, 1576.
Wemys of Pittencrief, John—becomes surety, .	Oct. 17, 1577.
Wemys, David, son of John of that Ilk—surety,	Aug. 18, 1573.
Whyte, Barty—entry of, . . .	March 13, 1572.
Wicht, John, burgess of Edinburgh—surety, .	March 4, 1574.
Williamson, John, in Leith—surety, . .	May 2, 1572.
Wilson, Andrew—surety for entry of, . .	Dec. 4, 1577.
Wilson, Andrew, cordiner, Leith—surety, .	May 22, 1575.
Wilson, John, burgess of Edinburgh—surety, .	March 4, 1574. March 28, 1575.
Wilson, Laurence—to compear, . .	March 31, 1572.
Wilson, Luke, burgess of Edinburgh—cautioner,	Feb. 26, 1571.
Wilson, Robert, Leith—surety for, . .	Feb. 28, 1574.
Wilson, Robert—notary denounced, . .	Sept. 15, 1577.
Wod of the Grange, Alexander—surety, .	March 15, 1571.
Yester, William Lord Hay of—obligation by, .	Nov. 14, 1574.
Yester, William Lord—to enter and present Jock Steill, ...	Aug. 18, 1573.
Yorkstoun, William, in Orkney—at the horn, .	Dec. 20, 1576.
Young, James, cutler, Edinburgh—complaint against,	Dec. 12, 1571.

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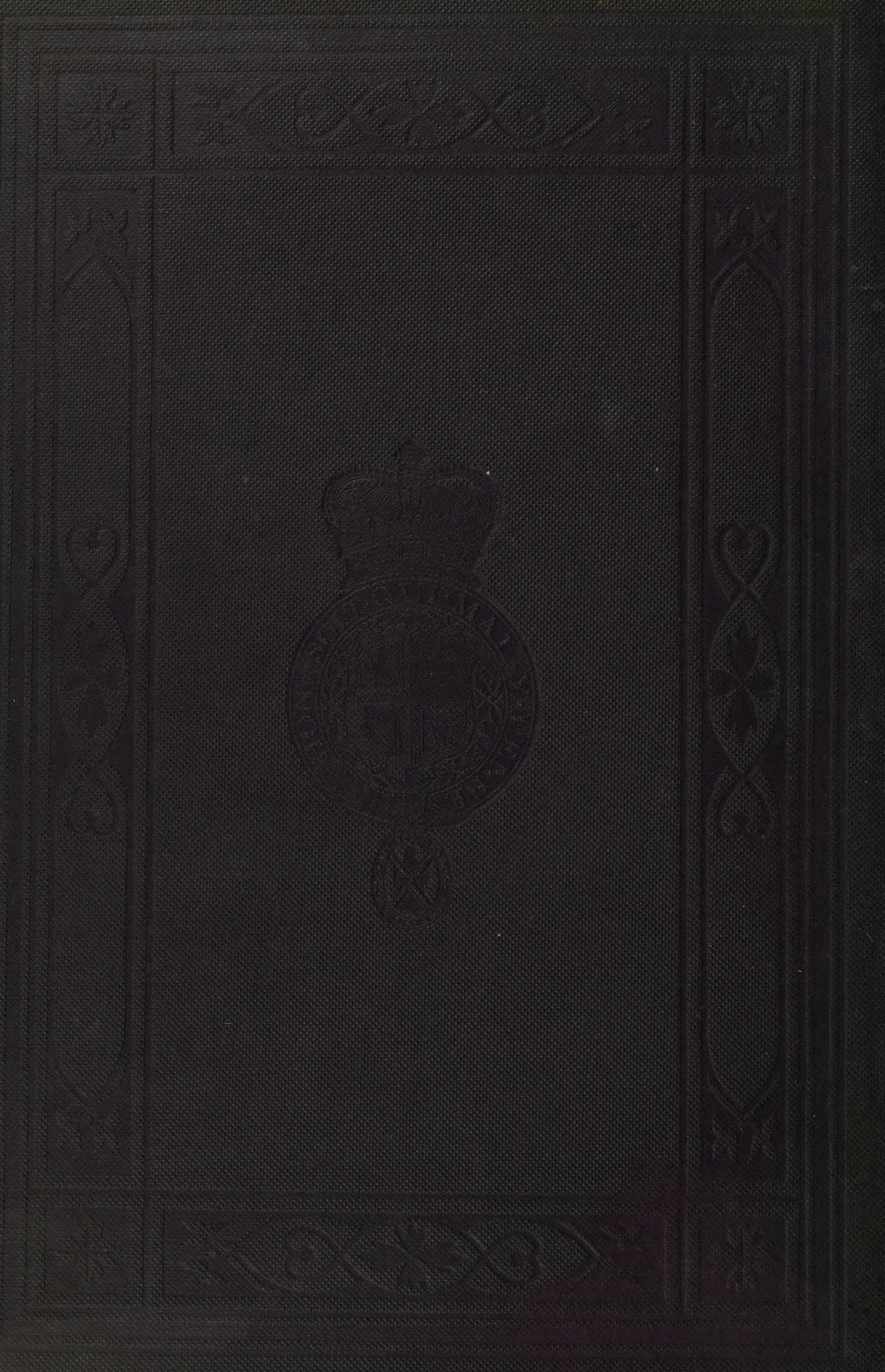
CORRECTIONS.

Page 11, line 36, *for* scriberi *read* scribere.
„ 56, „ 12, *for* It *read* Ita.
„ 93, „ 14, *for* Pouris *read* Touris.
„ 97, „ 40, *for* 195 *read* 95.
„ 105, *insert* Stirling, 27th Dec., before second paragraph.
„ 105, line 30, *for* Dreven *read* Denevey.
„ 105, „ 31, *for* Cambuskenneth *read* Cambuskeyth.
„ 112, „ 35, *for* Fynnonth *read* Fynmonth.
„ 117, „ 7 from the bottom, *for* Bamhillis *read* Bernhillis.
„ 117, „ 3 from the bottom, *for* Sevintoun *read* Swintoun.
„ 118, „ 9 from the bottom, *for* Michaelly *read* Michaell.
„ 120. The footnote refers to the first paragraph.
„ 208, on margin, *for* Winframe *read* Winrame.
„ 284, line 10, *for* Dynune *read* Dynure.
„ 296, „ 3, *for* 31st *read* 17th.
„ 306, „ 30, *for* Bob *read* Hob.
„ 329, „ 38, *for* Hatpowy *read* Hathowy.
„ 330, „ 18, *for* Vedart *read* Uddart.
„ 334, on margin, *for* 12th *read* 15th.
Page 334, line 31, *for* Minzet *read* Winzet.
„ 353, „ 32, *for* Morten *read* Norten.
„ 386, „ 7, *for* Kincardine *read* Kincaidyow.
„ 386, „ 8, after "testimony" *insert* [2].
„ 435, „ 25, *for* James *read* Colin.
„ 435, „ 26, *delete* ' other."
„ 435, „ 2 from the bottom, *for* richting *read* sichting.
„ 440, *for* Blair on margin and in line 6 from the bottom, *read* Blais.
„ 448, line 6, *for* Skymmer *read* Symmer.
„ 479, on margin, *for* 28th *read* 27th.
„ 492, line 27, *for* Preischoip *read* Preisthoip.
„ 538, *insert* "3d July" opposite second paragraph.
„ 573, line 38, *for* servandis *read* serjandis.
„ 671, „ 37, *for* "his son George" *read* George Ker, son and apparent heir of Andro Ker of Fawdounsyde.
„ 722, „ 23, *for* Singalton *read* Fingalton.